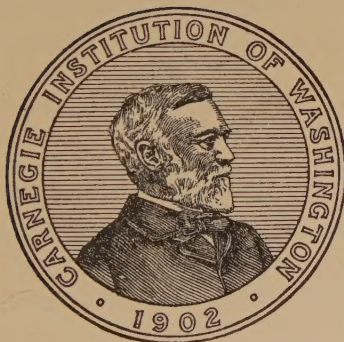


Letters of Members of the Continental Congress

EDITED BY
EDMUND C. BURNETT

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PREFACE.

The beginning of the year 1778 found Congress struggling earnestly if not desperately with more than one problem of great importance. Certainly, in the estimation of that body, the item of unfinished business which pressed most hardly for immediate settlement was the question that had arisen over the convention of Saratoga. The question had been in almost constant agitation since the middle of November, and in so precarious a state was the business as December drew to a close that of two letters from President Laurens to General Heath written on the 27th the one, bearing that date, conveyed intimation of certain resolutions of Congress, not yet finally framed and adopted, intended not only for Heath's direction, but also "for public information on both sides the Atlantic"; the other, bearing, when it left the President's hands, the date "January 1778", peremptorily ordered General Heath to detain General Burgoyne, his officers, troops, and other persons and to suspend their embarkation until he should be further instructed. The first letter contained also instructions to Heath to attempt and if possible complete, without revealing to any person the contents of either letter, "certain essential Acts", therein set forth. If, when the necessary acts had been completed, Heath had not received the intended resolves, then he was to disclose the contents of the second letter to General Burgoyne. Touching the "essential acts", Laurens remarked, "These Acts which Congress judge indispensibly necessary to be performed before an embarkation can take place will employ some days and gain so much time without subjecting the Honour of the House or of its Constituents to any unfavourable imputation from the world." Concerning the postdated letter he explained, "You will understand the motive for dating that Letter January 1778, and leaving a Blank for the day to be properly and carefully filled by your self". That is, the date of the letter should accord with the date of the forthcoming resolves. It came about that Congress completed those resolves January 8, they were transmitted to General Heath January 14, and by him delivered to General Burgoyne February 4.

A fair indication of the state of mind which prevailed in Congress upon this question may be gained from an enigmatical passage in a letter from James Lovell to Samuel Adams, January 13. "*Just cause, ground or reason to fear*", he wrote, "that a contract made will be violated warrants a suspension of the agreement, till that fear is done away; but, that *just cause* must be something *consequent* to the Convention; and the degree of fear arising from the same word or deed will operate variously according [to] the characters of persons and circumstances of things."

"Theoretic students" and "timorous christians, who are always doubting", would probably say nay to the late decision of Congress; but "practical Politicians" would cry aloud aye.

Henry Laurens intimates that he was the chief promoter of the measure, and it is from him that we obtain the most pointed comments upon it. So deep was his concern over the outcome that on the day after Christmas he had been carried from his sick bed to Congress, where, "two whole days trenching deep upon each night", so he wrote December 30, had been passed in the committee of the whole in an effort to push forward the business which had been "the subject of my meditation and contemplation through several painful and Sleepless nights and Days". The mere reflection upon it brought tears to his eyes; but, though his body was weak, his soul was animated. He had no doubt that the document to which he had already affixed his signature would be brought before the tribunal of the whole civilized world, but he was happy in the thought that he was doing eminent service to his country. He hoped his own countrymen would not coincide in opinion with a few in the house, who appeared to him to be "timorous dunces". A similar strain runs through all his letters. He "honestly thought the measure justifiable as well as necessary". "The Justice and good Policy of the Act", he wrote Governor Clinton, "will be acknowledged by every disinterested Court in Europe". He must, however, have had some lingering doubts, for on the same day on which he despatched the resolutions to General Heath he wrote to his son John Laurens, "This great determination will have its effect in Europe, in England more especially, whether good or Evil time will inform us. I feel strongly confirmed, that the Act is good and therefore entertain no alarming apprehensions". What Laurens's subsequent reactions were may be gathered from a memorandum (to be found under January 8, *post*) written at some later time and evidently in view of criticisms upon the action of Congress. His doubts, feeble though they appear always to have been, had not quite vanished, but he still maintained the rectitude of the suspension.

It is not necessary to discuss here the question whether Burgoyne or Congress was the more guilty of committing a breach of faith. There are numerous able examinations of the question based on all the essential facts. It may nevertheless be remarked that from such expressions as have come down to us from members of Congress it is difficult to escape the conclusion that, while grounds were not wholly lacking for suspicion, the majority of Congress had attained that state of mind that welcomed an excuse for an act concerning the honorableness of which they had doubts but of the expediency of which they were wholly convinced, and that Burgoyne's petulant phrase, "the public faith is broke", was eagerly seized upon as offering them the very handle they desired. Laurens at least appears to have lashed his soul into a fervor of righteousness.

Almost the last act of Congress before its adjournment on December 31, 1777, was a resolve "that it is expedient to promote a speedy reformation in the army", and took under consideration the question of sending a committee of its own members to the army for that purpose. The resolve was the outcome of months of tentative efforts to that end and of almost unvarying failures. It was in fact a recognition that half measures would no longer suffice, although there was not, naturally, any stultifying clause laying the responsibility for any part of the failure at its own door. Congress was not prone to acknowledge in formal resolutions or even by implication its own sins and shortcomings, although individual members did not hesitate now and again to ascribe errors innumerable both of omission and of commission to that body collectively or in sections.

Early in January therefore, in pursuance of this resolve, Congress laid down the main lines of reformation which it deemed necessary and despatched a committee to headquarters to put these reforms in the way of consummation. The first item of this programme was the promotion of good discipline, to which was afterward added, through the efforts of some of the more pious members, "good morals"; the second was economy; the third, speedy and effectual measures for reducing the number of regiments in the Continental service; and, fourth, the reform of abuses "which have too long prevailed" in the different departments. Some of these reforms the committee were, in concert with the commander-in-chief, to put into effect; others they were to report to Congress for its consideration.

The most serious problem that confronted Congress as it entered the new year was that of supplying the army with the necessaries of life. The army was encamped at Valley Forge; Congress was encamped at York, in the interior of Pennsylvania. Both were fairly secure from the enemy, but the former had not escaped the heavy hand of its friends, and the latter was suffering from a complication of diseases, which at times might be diagnosed as a deficiency of red corpuscles in the blood, and at other times as a species of auto-poisoning. In direct consequence of Congress's own bungling the several departments of supply had utterly broken down, and the army was in imminent danger of dispersion for lack of every means of sustenance, and this with abundant supplies in the region round about. If salvation were not found at once all was lost.

How keenly Congress realized the danger, and how desperately it was struggling to find a remedy, may readily be gathered from the last two letters in the preceding volume, and from many utterances in the early weeks of 1778. President Laurens, for instance, wrote to the executives of the several states, January 3: "The house have been for many days past laboriously engaged not only in matters of the very highest importance within their proper sphere, but also obliged from some unaccountable deficiency in the several departments of Quarter Master General, Clothier

General and Commissary General to interfere immediately and personally in the procuring of Wagons, Clothing, Meat and Flour for the Army, which otherwise from all appearance and from the representation of the General, would have been dispersed." To Governor Trumbull he declared, two days later, "We are now good Sir, at this Instant on the brink of a precipice. If we have Wisdom, if we have Virtue, we will hasten to withdraw."

Several lines of activity were begun with a view to bringing about the needed reforms. The departments of quartermaster-general and commissary-general were, with the counsel and aid of Washington, reorganized and the ablest men that could be found placed at the head of them, General Nathanael Greene over the former and Jeremiah Wadsworth over the latter. The chief real reform consisted in investing these men with actual responsibility, with the power of appointing their subordinates, and with freedom from outside control. By the time however that these things had been fully accomplished the winter was over; the worst of the crisis had passed, and such relief as had been obtained in the meanwhile had been in great measure through the military power of impressment, a method to which Washington was extremely reluctant to resort.

Large, however, as was the programme of reforms which Congress had proposed to carry out, what it actually accomplished was but partial and temporary. The reform of abuses in the departments was always about to be done, but was never done thoroughly. From the beginning to the end it might very properly be said to have been an item of unfinished business.

It was originally planned that certain members of the board of war should be joined with the committee of Congress in a sojourn at headquarters to carry out this campaign of reform, but as these members of the board were on the point of departure upon this mission, it transpired that one or more of them had been concerned in a plot to displace Washington. They were accordingly relieved from that service. The committee took up its residence near headquarters about the end of January and began its work. It has left minutes covering about six weeks of its activities, exceedingly brief minutes indeed, but sufficient to indicate the extensive bounds which it had allowed itself.

Elias Boudinot, at that time commissary-general of prisoners and shortly afterward a member of Congress, asserted in his reminiscences that the committee mainly succeeded in making itself obnoxious to the army, and related a specific instance. If Washington found it so, he remained discreetly silent, although when Congress passed a resolution respecting his negotiations for a cartel, a resolution which struck a blow at his personal honor, and was said to have been fathered by the committee, he spoke out in no uncertain terms. To this episode reference will presently be made. On one occasion the committee prepared for him a long, if not severe, lec-

ture on a related subject, but it is uncertain whether Washington ever saw the letter, for the draft preserved by the committee bears the endorsement, "Superseded by a Conference". It is quite probable that even over the committee itself harmony did not always hover serenely. Certainly there were fertile elements of discord within it.

The deplorable conditions in the army could not fail to fan into life the smouldering embers of hostility to the commander-in-chief and add fuel to the flame. The intrigue which had for some time operated under cover, and for the most part continued to do so—the recorded proceedings of Congress make no reference to it—began early in the new year to manifest itself particularly in various forms of neglect, in obstruction, and even in acts of positive hostility. James Lovell, for instance, in a letter to Samuel Adams, January 20, chuckles over the "smartness in a Resolve which was meant to rap a Demi G— over the Knuckles", while he grumbles about the "privy Councillors to one great Man whom no Citizen *shall* dare even to talk about, say Gentlemen of the Blade". Judicious patriots in Congress made every effort to keep the whole nasty affair from becoming publicly known, lest aid and comfort be thereby given to the enemy. Washington, likewise, and for the same reason, long remained silent, patiently enduring the whines and whiffling criticisms, the nagging tactics, the snaps and snarls of small-fry politicians in Congress, refusing to retort upon his critics, until the moment arrived when he could deal the serpent an effective blow. "This great and virtuous Man", wrote Laurens, "has not acted the *half patriot*, by a hasty resignation . . . he will not take a step which may greatly injure thirteen United States, because of the inconsiderate conduct, design, ignorance or negligence of a Majority of *twenty-one*, too often only of *fifteen* Men. No internal Enemy can hurt him without his own consent. I trust he will not gratify the wishes of those who seek to remove him, if there be any such." When, however, fortune gave into Washington's hand an expression said to be contained in a letter from General Conway to General Gates, "Heaven has been determined to save your country, or a weak General and bad counsellors would have ruined it", the stroke he administered to confound the conspirators is unsurpassed for its neatness and effectiveness. The intrigue straightway slunk back into the darkness whence it had come.

What is known as the "Conway Cabal" has been one of the historical puzzles of the Revolution, and in part remains so. Some men in the army and some in Congress have been pointed to as having had a part in it, and a few of them have left ineradicable evidences of being concerned in it or friendly to it; but most of those charged with complicity at the time loudly denied it then, and some of them spent a good part of their remaining lives in endeavoring to disprove the charges or smother them. To this day, barring a small group of the participants, most of the incriminating evidence is circumstantial in character, though much of it is of such

strength as would prevail beyond a reasonable doubt in the minds of any twelve good men and true. If, for instance, among the papers of a member of Congress, there be found numerous letters openly speaking the sentiments of the Cabal, among them letters of an intimate friend otherwise known to have been hand in glove with the intriguers, the conclusion can scarcely be escaped that the aforesaid member, whether or not he may have been actively concerned in the conspiracy, must certainly have looked with favor upon it.

The materials in the present volume afford a good deal of new light upon the course of the intrigue, its intensity, its dangerous proportions, its manifold ramifications, its baneful, often paralyzing, effects on every part of the body politic from the directing head, Congress, down to the lesser instruments of action. The principal new lights come from letters of Henry Laurens.

Laurens believed, so he wrote to Lafayette, that he heard most of what was being said and knew the outlines of almost all that had been attempted. Among the disagreeable things that came to his ears was a comparison of "the miscarriages and inactivity in the Southern, with the successes of the Northern department", but they were "silly remarks", easily answered if one were disposed to reply, but "Men of Sense treat these things with contempt". To his son, Colonel John Laurens, aide-de-camp to Washington, he wrote that he had even heard Washington's opinion in a matter "treated with so much indecent freedom and Levity" as convinced him that suspicions of a baneful influence were not ill founded. "Let us have a little more patience", he said, "we shall discover if there is a system to over turn or rule—for aught I know, to throw into confusion and bring in the ancient Rule." He was even permitted a view of Conway's notorious letter. True, General Washington had been misinformed; it did not contain the words which had been reported to him, "but ten times worse in every view". One party had appealed to him, and the other had delivered their sentiments. His part however was to strive to make peace by every means; he would "endeavor to counteract some, and reconcile the honest hearts now at variance".

Laurens's letters to Lafayette are particularly helpful in illuminating that part of the programme which took the form of a projected expedition into Canada under the command of the Marquis. Touching the intrigue itself, of greater value are the letters to other correspondents, more especially to John Laurens. To his son Laurens wrote with much intimacy, yet with such caution that not a name is mentioned. There are allusions to individuals, but they are cryptic. He intimated that the persons involved were not confined to a narrow circle, that it was a group with varied purposes, but coherent. It included characters of whom Washington entertained "the most favorable sentiments". Taken together they "form a Club whose demands upon the Treasury and the War Office never go

away ungratified". Some of these would not wittingly be concerned in a plot against the commander-in-chief, but "they want the honor to defend". "In all such junctoes", he said, "there are prompters and Actors, accommodators, Candle snuffers, Shifters of scenes and Mutes." There was one whose "fawning mild address and obsequiousness procured him toleration from great Men on both sides", whose "Idleness, duplicity and criminal partialities in a certain Circle laid the foundations of our present deplorable State"; there was a "pivot", upon which, he believed, "the late mischiefs" had turned; there was "one in particular" (and he stood high in the good graces of Washington), who, with others of the circle, "make patriotism the stalking horse to their private interests". He had even pointed in Congress at the maladministration of this "one in particular". In short, he declared, "our whole frame is shattered; we are tottering, and without the immediate exertion of wisdom and fortitude we must fall flat down". He had often been induced, he wrote Lafayette, "to believe there were Agents from our Enemies if not within Doors, yet too closely connected with some who sat there". Some of Laurens's suspicions pointed at particular individuals may have been without due warrant, but there is abundant testimony from other members of Congress of the evils that existed and the dangers that threatened.

Of one thing Laurens was firmly convinced. The success of the conspirators would mean the ruin of the cause. Washington's magnanimity and patience would save the country and confound his enemies. In viewing this episode in our history in which a severe indictment stands against many members of Congress, sometimes indeed against a majority of them, it should not be forgotten that there remained nevertheless in Congress many hearts that were right and heads with wisdom to perceive that with Washington they might win, without him they must lose. Beneath his standard alone could they conquer. And this conviction not only took deeper and deeper hold upon the minds of Congress, it speedily gripped the mind and heart of the nation. It does to this day.

So far as the cabal itself is concerned, that died forthwith the moment it was exposed to the glare of day. There were to be no more plots to displace Washington; but there yet remained in Congress a group of rabid malcontents who had lost little or none of their hostility to him and still found it an easy matter to organize a formidable opposition to measures proposed by the commander-in-chief, or to take action in utter disregard of him. A particularly noteworthy instance occurred in connection with the plans for a general cartel. Washington had concluded negotiations with General Howe for a meeting of commissioners from the American and British armies, when Congress suddenly injected into the matter instructions of such a nature as not only amounted to a criticism of Washington's conduct, but compelled him to postpone, with a rather halting explanation to the British commander, the meeting of the

commissioners. He appealed to Congress for a modification of the instructions, and intimated (a rare thing in his relations with Congress) that his sensibilities had been wounded. Then occurred in Congress one of those episodes of which the Journals, a not infrequent occurrence, give but small intimation. Washington's letter (April 4) was received by Congress April 8 and assigned to a committee, who were instructed to prepare an answer. The proposed reply was brought in on the 10th, underwent discussion and amendment, was approved on the 13th, and was sent to Washington bearing date of the 14th. The letter as actually despatched has long been in print, but the amendments to which it was subjected remained buried until the original draft drawn by the committee was printed in the Library of Congress edition of the *Journals*, where may now be seen long paragraphs which were erased. Probably we should not even now know anything of the struggle in Congress over those paragraphs—Laurens makes only dark allusions to it—but for an incident which has both an amusing and a serious political aspect.

It is to Thomas Burke, delegate from North Carolina, that we owe the chief illumination of the contest. Burke had not been altogether in accord with Washington's point of view with respect to the cartel, but when he found that the committee were proposing such a reply as amounted to hurling an insult into the face of Washington, he with some other members set themselves to prevent it and delete from the letter its most offensive passages. On the night of April 10 the dispute was fierce and prolonged far into the night. As a last resort Burke adopted a method of obstruction not unknown in later times. He saw that his own presence was necessary to a quorum, and that by withdrawing he could put a stop to proceedings. This he did, followed by one other member. Had this been all, we might still have been left with but small knowledge concerning the affair; but Congress endeavored to assert authority over the recreant member, and to hale him back within its precincts. Whereupon Burke disputed the authority, declaring that he was amenable only to his own sovereign state. In the end he made a sort of apology, but shortly afterward took his departure for North Carolina, appealed to his own legislature, received the hearty approbation of that body, and was returned as a delegate to Congress with an increase of prestige and confidence.

There will be found in the following pages a curious document, long forgotten and but recently discovered, which probably had its inception in the episode that has just been mentioned, although other episodes at other times might very appropriately have given rise to it. It is an engagement of the members to meet punctually at the hour of adjournment, and to support order and preserve decency and politeness in debate. It bears the date April 12, the day after Congress administered its admonition to Thomas Burke. It does not carry all the names of members of Congress then in attendance, and Burke's is one of those missing. That the engagement was not well kept the document itself bears record.

The committee at headquarters presented to Congress a number of constructive measures within the purposes of its appointment, measures mostly prepared by Washington or under his direction. Some alterations in the arrangement of the army which the committee proposed were, after a long delay, adopted by Congress near the end of May, but the putting of this new arrangement into effect, which was passed on to another committee, was not seriously begun until the close of the summer, and had not been completed at the end of the year. So much for the "speedy reformation" which Congress had so zealously launched.

The offering of the committee which had the greatest repercussion in Congress was a measure providing for half-pay for life to the officers of the army. The measure did not of course originate with the committee. Its author was doubtless Washington himself, and the fact that it had its origin in the army appears to have militated not a little against it among the army-phobe members of Congress. A former committee, after a conference with Washington, had in December, 1777, recommended both a half-pay establishment and a pensionary establishment in favor of officers' widows (see vol. II., nos. 774-782), and there was evidently discussion of the measures in the early part of January in committee of the whole (see, for instance, the report in the *Journals*, Jan. 5, and no. 28, *post*). The new committee of conference had evidently been convinced by Washington of the urgent necessity of the measure, and accordingly two of them (Dana and Folsom) returned to Congress at the end of March for the express purpose of pressing its adoption, while the two remaining members (Reed and Morris) followed shortly afterward.

Not for many a day had any proposition stirred Congress so powerfully. "Had I heard", exclaimed Laurens, "of the Loss of half my Estate, the amount would not have involved my mind in such fixed concern as I feel from the introducing of this untoward project." It is a question of such magnitude, declared William Ellery, "that I am one of those who think it ought to be referred to the consideration of the states".

Congress at once divided into two opposing camps, the advocates of the measure having a bare majority, but with the opposition contesting every inch of the ground. Thomas Burke of North Carolina set forth in a letter to Governor Caswell the principal arguments used on the one side and on the other. They were, that officers were unable to support themselves on their pay and that great numbers of them were resigning their commissions and seeking those lucrative avenues of employment which the war was abundantly offering. Therefore it was impossible to introduce adequate discipline, for the mere suggestion of discipline brought forth a resignation. To increase the pay would be but to inflate the currency, which would in turn result in further depreciation. It was urgently necessary therefore that officers be given a permanent interest in their commissions. Two principal arguments, with numerous corollaries, were brought against the

proposition: first, that Congress lacked the power to create such an establishment, and secondly, that it threatened the country with that dangerous institution, a standing army. "The fear of a standing Army arising from this establishment", declared Burke, "has no great weight with me. This War will make too many of our people Soldiers to leave us anything to apprehend from a standing Army in one generation." "But the most formidable argument", he continued, "is that the Congress being instituted only for the purposes of War have no power without particular instructions, to make any peace establishment." To this he answered that the argument of want of power was no more conclusive against this measure than against borrowing money, the repayment of which would extend far beyond the war.

Washington himself had no doubt supplied from the beginning most of the reasoning in behalf of the measure, and while it was under discussion wrote to Congress and to individual members putting the case before them in so decisive a manner as should have convinced any but the most obstinate. To President Laurens he declared (April 10), "I do most religiously believe the salvation of the cause depends upon it, and without it, your officers will moulder to nothing, or be composed of low and illiterate men, void of capacity for this or any other business. To prove this, I can with truth aver, that scarce a day passes without the offer of two or three commissions." Aside from the question of justice and all other considerations, he said, "upon the single ground of economy and public saving, I will maintain the utility of it; for I have not the least doubt that, until officers consider their commissions in an honorable and interested point of view, and are afraid to endanger them by negligence and inattention, no order, regularity, or care, either of the men or public property, will prevail".

A little later he wrote to John Banister, delegate from Virginia, "The spirit of resigning commissions has been long at an alarming height, and increases daily . . . and there are but too just grounds to fear that it will shake the very existence of the army, unless a remedy is soon, very soon, applied." This letter to Banister, intended doubtless for judicious use among members of Congress, is as clear, forceful, and rational a presentation of the case as could be conceived, and pleads with great earnestness for the enactment of the measure.

Among those who were most active in opposition was Henry Laurens. This fact is the more striking, because Laurens was usually to be found earnestly supporting Washington and essaying to further whatever measures Washington deemed to be of importance. To Laurens's deep concern for the outcome is to be attributed much of the knowledge which we have of what took place in Congress as the question was buffeted back and forth between the opposing groups. When Laurens became aroused over a question he was almost certain to seize his pen and write long letters to his friends far and near, discoursing upon this or that aspect

of the question, and he frequently also at such times made notes of proceedings. His reflections and arguments upon the half-pay question, and those of others, may be seen in various of these letters of his in the following pages.

"Long and warm debates for many a day", Laurens wrote in the midst of the struggle, "had led us to the threshold of the Report from the Committee of the Whole. We had Entered fairly the Door, . . . when we were turned out by a New Motion." "Whole days and Some tedious Nights" for near a month, he wrote again, they had been hammering at the measure—"a most momentous engagement", in which all their labor had not yet matured one single clause. Combatants have agreed, he continued, "to meet tomorrow *vis a vis* and by the point of Reason and some things proxies for Reason put an end to the Contest. I'll be hanged they do."

One test had however already been made, an attempt, April 16, to refer the question to the states. It had been defeated by only the narrowest margin, but it was enough, if there should be no defections. Accordingly James Lovell wrote to Samuel Adams (April 18): "You may expect soon an half pay system upon which your army this campaign is said, 'religiously', at one time, and 'devoutly' at another, to depend. It is said to be Oeconomy, Justice and Necessity. The latter really is not altogether fictitious, the second does not exist, and the first is quite problematical. Distinction ought however to be made between an *half-pay* establishment and a *military* establishment, the latter being a curse, the former a nuisance." It was only a short while before that Lovell had declared himself as still in favor of the annual election of officers.

These and many similar arguments were poured forth day after day and week after week. There was an interruption of a few days by the sharp controversy over the question of the cartel, a pause to attempt discipline to the refractory member from North Carolina, another interval of distraction and agitation caused by the appearance of Lord North's conciliation bills, and still another by the coming of the French treaties, which for the time transformed the Congress chamber into a scene of joy, mutual congratulation, and happy fellowship, the half-pay measure and all the other dangers that loomed so large all but forgotten.

Meanwhile some members had taken their departure, defections were threatening in the ranks of at least one delegation, and the question was allowed to rest while the contestants scurried for recruits among the absentees. On the 13th of May it was once more attempted to refer the whole question to the states, which was equivalent to defeat, and when that failed by a single vote, the minority came forward with a compromise, by which the provision should be for a period of seven years instead of for life. The compromise was accepted, and in that form the measure was adopted (May 15) by the unanimous vote of the states, but with

two individual voices still in the negative. The Connecticut delegates, transmitting the act to Governor Trumbull, and giving a summary account of the proceedings upon it, solemnly averred that it was the "result of the most painful and disagreeable question that hath ever been agitated in Congress", adding that if it is "not the best measure the nature and circumstances of the case would admit, it is certainly the best that could be obtained".

The affair of the cartel and the disturbance over the personal privileges of the gentleman from North Carolina had been injected into the midst of the intense legislative battle over the half-pay establishment. Burke's case had not quite been disposed of nor the half-pay question settled, when a new and momentous problem was suddenly thrust upon the rather meagre body of members in attendance. It arose from the appearance of a draft of Lord North's conciliation measures.

Washington, to whose hands the paper had first come, was inclined to believe it a forgery, but he declared in transmitting it to Congress that, whether genuine or not, it was "meant to poison the minds of the people, and detach the wavering at least from our cause". Laurens as well as others were likewise of the opinion that the bill was spurious, but made no doubt that it would be returned "decently tarred and feathered". Proof of the genuineness of the measures was not, however, long in forthcoming, and with it the conviction, as Washington expressed it, that they aimed at "objects of the greatest extent and importance", and would no doubt "involve the most interesting consequences to this country". Washington advised that the ablest pens be set to work at once to counteract the influence of the measures.

In and around Congress there was anxiety and perturbation. It was a "political stroke", an "insidious scheme", calculated to "mislead the ignorant and alienate the minds of the wavering", and its effects would be baneful, if not counteracted. "The manifest intention", wrote Samuel Chase, "is to amuse us with a Prospect of Peace and to relax our Preparations." "I did intend Home", he wrote a few hours later, "but I believe I shall stay and see it out. The Hour to try the Firmness and prudence of Man is near at Hand. . . . I shall endeavor to act my Part well." His colleague, John Henry, was even more apprehensive. "I dread", he declared, "the impression it will make upon the minds of many of our people. If it should . . . make its appearance in the form of a Law, it will prove more dangerous to our cause than ten thousand of their best Troops."

On second thought, however, there was meat for encouragement. Lord North's bills had given an intimation of the coming of commissioners to treat with the Americans, and Washington had shrewdly conjectured that France had recognized the independence of the United States and that Great Britain was hurrying action to forestall the arrival

of the treaty. The plan of conciliation, it was concluded, must have sprung from despair of reducing America to subjection. It was only necessary therefore to be on their guard, to counteract the obvious design of the bills, and to show the states what was the temper of their delegates. If they could do that, independence was assured.

Accordingly, within two days of the first appearance of the bills, while there was yet uncertainty of their genuineness, Congress adopted and sent abroad its "observations", drawn by the pen most trusted for its keenness, that of Gouverneur Morris. The essence of the answer was "that these United States cannot, with propriety, hold any conference or treaty with any commissioners on the part of Great Britain, unless they shall, as a preliminary thereto, either withdraw their fleets and armies, or else, in positive and express terms, acknowledge the independence of the said states".

Some members were not quite satisfied with the response, but upon the whole the retort was thought to be a good one, and the more they considered it the better they liked it. It would make effective reading in the newspapers alongside of the conciliation offers; and after all that was the main purpose. There were not lacking nevertheless those who feared that the rebuff to the expected peace commissioners might be too effective; it might drive them away entirely. "Some of our people here", wrote Laurens, "have been exceedingly desirous of throwing abroad in addition to the Resolutions an intimation of the willingness of Americans to treat with G[reat] Britain upon terms not inconsistent with the Independence of these States or with Treaties with foreign Powers. I am averse. We have made an excellent move on the Table. Rest until we see or learn the motions on the other side. . . . It would be a dangerous Act, encourage our Enemies and alarm our friends." The suggestion was evidently mulled over for several days. "Upon its first appearance", Laurens wrote May 1, "it was a favorite and I felt some anxiety lest it should succeed, but after lying a few days and a full discussion this Morning it was postponed generally."

It may at first glance appear that the *sine qua non*, independence, so firmly pronounced in the answer which Congress gave to the commissioners, and even in the softened response which a minority proposed, had been a fixed and unalterable concomitant of every thought concerning the contest since the fourth of July in the year 1776. It is probable that in this year 1778 it was the great desideratum in more minds than it was when independence was first resolved upon. There is not a little evidence nevertheless that many of these same minds were seriously questioning its possibility. Read, for instance, Henry Laurens's letter to James Duane in the beginning of April, before the conciliation bills had appeared. There would probably be soon, he thought, some attempts toward accommodation, "and who can dry eyed contemplate submission?" "Let us not

be stricken by fear", he exhorted, "let us be animated and Wise . . . but no time is to be lost." This is only one of many expressions of the kind. The decision when reached was, to all appearances, fixed and unalterable, but it was not fixed until men had taken counsel one with another. It was reached only after profound deliberation and prayerful meditation. Whatever might be the offers of accommodation, Americans could not willingly return to their old allegiance.

They had not long to wait for abundant justification of the courage and firmness which the majority had shown. On Saturday, May 2, after Congress had adjourned, a messenger arrived at York bringing the treaties of alliance and commerce which had been signed on February 6, between the United States and France. The event was not altogether unexpected, though the wait had been long and anxious, but it was glorious news, as sweet waters after bitter. To Washington, to whom the news had come a day earlier than to Congress, it brought new hope, and not the least of the good results which he expected was that the states would now throw off their languor and give proper support to the army. Lafayette, who had delighted to think of the British commissioners arriving in time to have a consummated treaty of alliance with France thrust before them as an answer to their proposals of accommodation, bubbled over with joy. "Houra, my good friend", he wrote to Laurens, "now the affair is over, and a very good treaty will assure our noble independence."

A special meeting of Congress was called at once, on Saturday evening, to hear the treaties read. Although exception was taken to two of the articles and France was asked to rescind them, the treaties were quickly ratified and by a unanimous vote. From almost every pen flowed praise of the "true wisdom and dignity" which France had manifested; the treaties were "founded upon the broad Basis of Mutual Interest and Security"; there was "Nothing in them which indicates any Design of obtaining any Advantage over us"; "Magnanimous and founded in our Independency, equality and reciprocity"; "His Most Christian Majesty has been governed by principles of Magnanimity and true generosity, taking no advantage of our circumstances, but acting as if we were in the plenitude of power and in the greatest security"; "America has now taken her rank among the Nations and has it in her power to secure her Liberty and Independence." "In those treaties", wrote the committee of foreign affairs, "we see the Politician founded on the Philosopher and harmony of affections made the ground Work of mutual Interest. France by her open Candor has *won* us more Powerfully than any reserved Treaties could possibly *bind* us, and at a happy Juncture of Times and Circumstances laid the seeds of an eternal Friendship". Henry Laurens had remarked concerning the reply to Lord North's bills that it would show the British commissioners "whence to take their departure". Now,

he declared, those commissioners "will perceive a necessity for taking a new departure from the Tower of Independence".

William Ellery among others saw a commercial as well as a political phase of the matter. "The old enfeebled *Lion* growls out", he wrote, "as if at the aggression on his honour, while the *Cock* crows round him determined to pick up his share of commerce. A war seems to be unavoidable. Can Britain, will Britain submit that France should carry on an unmolested Commerce with these States? Her proud Spirit I think cannot brook it, whatever sound policy may dictate. Will she risk . . . the Loss of rank amidst the Empires of the world rather than acknowledge the Independence we are in *full possession* of? I think she will. *Quos deus vult perdere prius dementat.*"

In the midst of these exultations Congress put forth an address to the people, an eloquent appeal and clever withal, painting in fervid terms the cruelties and ignominies which they had suffered at the hands of their enemies and were certain yet to suffer if they listened to the insidious offers of peace with which the enemy was now endeavoring to ensnare them. "That God of battles, in whom was our trust, hath conducted us through the paths of danger and distress to the thresholds of security . . . if we have courage to persevere, we shall establish our liberties and independence. The haughty prince, who spurned us from his feet with contumely and disdain, and the parliament which proscribed us, now descend to offer terms of accommodation. . . . What, then, is their intention? Is it not to lull you with the fallacious hopes of peace, until they can assemble new armies to prosecute their nefarious designs? . . . Be not, therefore, deceived. You have still to expect one severe conflict. . . . Arise then! to your tents, and gird you for the battle! It is time to turn the headlong current of vengeance upon the head of the destroyer. . . . Trust not to appearances of peace or safety. . . . But, if you exert the means of defence which God and nature have given you, the time will soon arrive when every man shall sit under his own vine and under his own fig-tree, and there shall be none to make him afraid. . . . Thus shall the power and the happiness of these sovereign, free and independent states, founded on the virtue of their citizens, increase, extend and endure, until the Almighty shall blot out all the empires of the earth."

The negotiations were opened by Lord Howe and Sir Henry Clinton in a letter which reached Congress on the 6th of June, transmitting the parliamentary acts designed to bring about an accommodation. The reply of Congress was swift and brief. Howe and Clinton were referred to the previous resolution, taken in view of the same measures when they first appeared, as a sufficient answer, but were further assured that "when the king of Great Britain shall be seriously disposed to put an end to the unprovoked and cruel war waged against these United States, Congress will readily attend to such terms of peace, as may consist with the honor

of independent nations, the interest of their constituents, and the sacred regard they mean to pay to treaties ”.

But time was pressing and the commissioners could not wait for a reply ; they endeavored to send their secretary, Dr. Ferguson, to Congress with their despatches, and when Washington refused him a passport, they must needs be content to send the despatches without the secretary. These were received by Congress on June 11, and were still under consideration on the 13th, when there came an address to Congress from the commissioners, Carlisle, Eden, and Johnstone. “ This ”, said President Laurens, holding up the packet in full view of Congress, “ might prove an attempt to amend the whole. And so it happened.” The despatches, he tells us, “ were under a superb direction and triple Seals, the device of the latter, a fond Mother embracing returning Children ”. He had read two pages of the address, when he came upon expressions derogatory to the king of France, their great and good ally, and he was ordered to seal up the papers, and Congress forthwith adjourned until the following Monday. Gouverneur Morris claims the credit for having taken the lead in this movement. “ When their insolent letter was read in Congress ”, he wrote, “ I opposed going on with it, and laboured hard to send it back with contempt. In this my view was to oblige them to garble it of the offensive matter and send it back, thereby striking conviction to the souls even of Tories, that G[reat] B[ritain] is reduced to implore a peace from America.” Samuel Adams declared that the expressions gave particular disgust to all the members, and he was sure that when the subject should be taken up again, it would be treated with becoming spirit and propriety. Others, nevertheless, among them Richard Henry Lee, regretted the zeal of some members for sealing the letters and sending them back without reading, whereby the answer had been delayed.

It was not until the 17th, four days after the receipt of the despatches, that the answer was ready to be returned. When the answer did appear it possessed both spirit and propriety sufficient for its purpose, but the tone was also mild enough to leave but little suggestion of that offended dignity with which Congress had suddenly stopped the reading of the commissioners’ address. In effect it said that only the desire to put a stop to the effusion of blood had induced the Congress to consider the propositions at all ; and then reiterated practically what had been said before—acknowledge our independence, withdraw your fleets and armies, and we will enter into treaties of peace and commerce consistent with existing treaties. Of the character of the discussion during those four days the Journals give but little intimation. According to Thomas McKean the “ answer was agreed to unanimously, by 31 members, the whole number in York-Town ”. But the length of time taken to determine on the answer suggests nevertheless that Congress was far from complete unanimity. Moreover some inkling of the different attitudes among the members may

be gained from the several answers proposed, as compared with that which was finally adopted. There is one suggested reply from the pen of Richard Henry Lee, another from that of John Witherspoon, neither of which was accepted, and there is also a sort of brief upon the whole question from the pen of Charles Thomson. In addition, the letters of Henry Laurens and others cast light upon the nature of the contest over the answer that should be sent. "If all the fine things now offered", wrote Laurens, "had been tendered some time ago, admitting their solidity, there can be no doubt but that the People of America would joyfully have embraced the proposition, but now what answer can be given but that which was returned to the foolish Virgins—'the Door is shut' . . . here's a Boy's Card House tumbled down by a Breath." To Thomas McKean it was an hour for exultation. "I have lived to see the day", he exclaimed, "when, instead of 'Americans licking the dust from the feet of a British Minister', the tables are turned."

Not only did the commissioners as a body plead earnestly with the wandering children to return to the family fireside, offering practically everything that had been asked short of actual independence, they plied their individual pens industriously to the same end. How many such letters, to whom, and what their contents, barring a few that speedily came to light, we shall never know. A number of such, chiefly in response to the orders of Congress, were thrown upon the table, some of them a bit reluctantly, others with gestures of scorn, but some members have intimated that letters of the sort were probably more numerous than the records reveal. The commissioners came armed also with eloquent pleas from men in England to their American friends. Said one such letter to a member of Congress: "Lose not the feelings of the Christian in the resentment of the man, and as you have nobly fought, act more nobly and forgive." The worthy commissioners did not, however, content themselves with persuasive appeals addressed to reason and brotherly love. They plied also logic of another sort. They even deigned to offer emoluments, offices, and other substantial rewards; but such was the manner in which these offers were made that the result, if the record is at all complete, was the precise opposite of that at which they aimed.

Here we may let the curtain fall for a brief space upon the activities of Carlisle, Eden, Johnstone, and Company, and take a view of Congress while it enacts quite another scene in the unfolding of the drama.

Congress had hardly gathered in Philadelphia, celebrated the anniversary of the Declaration of Independence with loud manifestations of patriotic fervor both with cannon and in the banquet hall, and started the Confederation, as they believed, toward a speedy consummation, when there came definite news of the approach of a French fleet bearing a plenipotentiary from the court of Versailles, Conrad Alexandre Gérard. At once Congress was all agog. Elaborate preparations were set going for

the reception of the minister at the coast and for escorting him to Philadelphia. Nor were steps neglected for the speedy utilization of the fleet under Comte d'Estaing. Of the welcome to Gérard, Elias Boudinot has left an interesting though brief picture. As soon as he had taken up his residence in Philadelphia members of Congress hastened to pay their respects to him, then, returning to their lodgings, wrote their impressions and reflections to their friends at home. All had words of praise for him. Was he not the representative of the great power that had stepped forth to help them win their independence? And yet, not many months had passed before some of these same members who now pronounced hearty encomiums upon this Frenchman were finding their language too feeble to express their scorn for him. Now he was declared to be "wise", "modest", "well-bred", and "as grave as a Frenchman can be". Samuel Adams, with sufficient reserve, offered as his first impression that "his Manners would suit our country". Later Adams remarked, "He is easy and polite in his Manners and converses freely without much Ceremony". At the other extreme was Henry Marchant, who gave a free rein to his enthusiasm:

"The Scene brightens", he exclaimed, "grows more and more interesting, and calls for new and fresh Exertions of Senatorial Wisdom. We Advance into the Circle and Standing of mighty Nations—Adepts in all the Policy of Peace and War. May Heaven protect our Youth and prove the Friend, Protector and Counsellor of America!" To one correspondent he declared that the first meeting between the minister of France and the President of Congress was "the most interesting interview that ever took place in America, or perhaps in the world". To another he wrote: "I never was Witness to a more elevating and unspeakably joyous Interview than that between the Plenipotentiary of His most Christian Majesty, and the President of Congress in the Name and Behalf of the thirteen United States of America. It was reciprocally graceful Endearing and Noble. May it presage a happy Issue to the American Struggle and a growing and undecaying Glory that shall diffuse its grateful Influences thro' the World."

The public audience to Gérard was yet to come, and Congress was not a little perturbed by the problem of determining what ceremonies should be used. It was a new thing in the life of the youthful nation. Some members wished that they might get on without ceremony, but supposed this sort of thing was a necessary accompaniment to the part which they were about to take among the nations of the world. "Would you think", wrote Samuel Adams, "that one so little of the Man of the World as I am should be joynd in a Committee to settle Ceremonials? It is however of some Importance that we agree upon Forms that are adapted to the true *republican* Principles; for this Instance may be recurr'd to as a Precedent in futurity."

Gérard had brought two commissions, one as minister plenipotentiary, the other as resident, and Congress might take its choice; but in his view it would be better to receive him as minister plenipotentiary, and Congress so voted. But the actual ceremonies were not so easily settled. What salute, for instance, should an ambassador, minister plenipotentiary, envoy, or resident receive upon his arrival within the United States? What military honors should be paid him? When he shall arrive at the place where Congress shall be, how many members shall wait upon him to inform him that Congress is ready to receive him? How many shall accompany him in the chariot, and who shall sit upon his right hand, who upon his left? What of the arrangements in the Congress chamber? How high above the floor shall the President's chair be raised? How far below him and where shall the minister's seat be placed? Who shall introduce him? With what title shall the Congress be addressed, with what the minister? When shall they sit and when shall they rise and when shall they bow and be bowed unto?

These and many similar questions were mulled over during a good many days. "I assure you", wrote Richard Henry Lee, just as they were about reaching a decision, "it is a work of no small difficulty." The concluding paragraph of the ceremonial programme deserves especial notice: "All speeches, or communications in writing, may, if the publick ministers choose it, be in the language of their respective countries. And all replies, or answers, shall be in the language of the United States."

Congress had occupied a week in fixing the ceremonials, it consumed two weeks in formulating the reply which the President should make to the minister's speech; and it required a whole month to cleanse the State House of the signs of the late British occupancy, so as to make it a fit place in which to receive the representative of their great and good friend and ally. The audience was at last given on the 6th of August, and was followed by a banquet. "The proceedings", Samuel Holten recorded in his Diary, "were conducted with great decorum. The entertainment was grand and elegant, the band of musick was very agreeable." "The whole", wrote Elias Boudinot, "was plain, grand and decent." Holten's verdict with regard to the decorum of the entertainment was heartily concurred in by the editor of the *Pennsylvania Packet*, who added that it "gave the most perfect satisfaction to the whole company".

It is not to be inferred that amid all this inundation of joy there was no rift in the lute, no voice but applauded the alliance, whether or not it might be entangling. There is much testimony at an earlier time that fears of such entanglements existed, and if later expressions may be trusted there were not a few who at this moment had their anxious misgivings. Now, however, such fears were mainly stilled or thrust behind them and doubting voices mostly hushed. One of those who ventured in the intimacy of a private letter to lift the curtain upon his inner thoughts

in the midst of the general acclaim was Andrew Adams of Connecticut. "I must freely own", he wrote, "I dont feel myself so compleatly flush'd upon this Occation as many do: I cant say but it may be attended with the happy Consiquences expected: but when I view the Matter upon a larger Scale sundry Questions suggest themselves for our Consideration; I was fully of Oppinion that the War was drawing to a speedy issue. . . . upon this View of the Case I would quere whither the arival of this Fleet will not be a Means of lengthining out the War, and also ley us under an Obligation of affording France an arm'd force in Case they Need it. . . . besides would it not be much to our Advantage had we settled the present Controversy in our favour without a foreign Aid. Under such Idears I have never been fond of the Assistance of any foreign Power: However I am no Adept in Politicks . . . and leave the Decision to abler Politicians or future time." Probably there was not a man among them who would not have opposed calling in foreign aid, if without it he had felt sure that the controversy could have been settled "in our favour".

The British commissioners may not have had high hopes at any time; some of them we know did not; and having failed to get into intimate touch with Congress or with any of its principal members in a manner satisfactory to their purpose, and having discovered upon their arrival in Philadelphia that the army was about to withdraw from that city, they betook themselves to New York, whence from time to time for some three months longer they continued to prod Congress with messages of one sort or another. During this period in fact there was a lively literary contest between those gentlemen and Congress or one or another of its members.

In our day most of these productions would be labelled propaganda. The Revolutionary fathers did not know the word under its present chief connotation, but the thing itself they knew well and were adepts in most of the devices appertaining thereto which were applicable to their own time and circumstances. They knew full well that it was a two-edged sword that must be handled with skill if used at all, as, for example, when Gouverneur Morris, using the pen name "An American", retorted upon the Earl of Carlisle: "There is but one way to sink you still lower, and thank God you have found it out. You are about to publish! Oh my Lord! my Lord! you are indeed in a mighty pitiful condition. You have tried fleets and armies, and proclamations, and now you threaten us with newspapers."

The first of these essays from the new base was delivered to Congress on July 18. Laurens declared the performance puerile, though "with a little dash of insolence as unnecessary as it will be unavailing". The dash of insolence was in asking Congress for "a full Communication of the Powers by which you conceive yourselves Authorized to make Treaties with Foreign Nations". They had observed indeed in the proposed Articles of Confederation that Congress should have such powers under

certain restrictions, "yet we do not find promulgated any Act or Resolution of the Assemblys of the particular States conferring this Power on you". The inquiry may have been unwise; it probably was; but it had touched a raw spot; the Articles of Confederation were still unratified. Congress declined to answer the communication at all. Gouverneur Morris did however make reply. The particular thrust he parried in this wise: "It is a most diverting circumstance to hear you ask Congress what power they have to treat, after offering to enter into a treaty with them, and being refused. But I shall be glad to know by what authority you call on them for this discovery. The Count de Vergennes had a right to it, but the Earl of Carlisle certainly has not."

Letters, addresses, declarations, proclamations, manifestoes flew back and forth at a great rate. On the part of Congress some of these were official, others semi-official, as for instance the several productions of William Henry Drayton and Gouverneur Morris, while still others came from quite outside the congressional circle. At length the commissioners grew weary of a hopeless endeavor and returned to England.

When the Articles of Confederation were sent out to the states at the end of November, 1777, the respective legislatures were eloquently besought to invest their delegates with competent powers to subscribe the Articles by the 10th of March next. Advancing many potent reasons for the consummation of the Confederation, including the plea that it would add "weight and respect to our councils at home, and to our treaties abroad", the letter concluded, "In short . . . it seems essential to our very existence as a free people, and without it we may soon be constrained to bid adieu to independence, to liberty and safety."

When the 10th of March came around, Congress had received but few responses, and only one state, Virginia, had offered to ratify the Articles unconditionally. Most of the others transmitted their acts of ratification within the next few weeks, but nearly all of these were accompanied by proposed amendments or other conditions, a few of them even having the character of ultimata. By the end of May, although three of the states had not yet responded and some others were without representation, members expressed confidence that the Confederation would shortly be completed. "It is the opinion here", wrote Josiah Bartlett, May 27, "that it will be universally agreed to."

As the time approached when Congress hoped to shake off the dust of York Town and return to Philadelphia, members became eager to put the finishing touch to the Confederation before their departure. What lent an especial urge to the business at this time was the French treaties and the expectation of the arrival of a minister from France. Congress was exceedingly anxious to receive him in Philadelphia instead of in York Town, and especially to meet the representative of their ally as the constitutional head of a perfected union. Accordingly on June 20, Con-

gress began to consider the proposed amendments. On that day Richard Henry Lee, whose famous resolution in behalf of independence had also set in motion the plan for a confederation, wrote to John Adams: "The friends to the future happiness and glory of America are now urging the Confederation to a close, and I hope it will be signed in a few days." He believed that the small states that were yet hanging back would "undoubtedly fall in". The Rhode Island delegates on the same day expressed a similar hope, "For this", they declared, "is the Grand Corner Stone". The most serious obstacle was encountered in the alterations demanded by Maryland. At the outset of the debate upon Maryland's demands Laurens expressed the belief that nevertheless the whole would be ratified in the original form within three days, and even when the chief contention of Maryland had been negatived, he still believed that ratification would be obtained "in the course of this week". He added, however, "were the various amendments to be fully discussed and alterations made I should not live to see Ratification".

If we may judge from the tone of their letters, Maryland's representatives in Congress were no less eager for the completion of the Confederation than the delegates of other states and were willing to trust their demands to the future. It was those to whom they were amenable who must be reconciled. They wrote, for instance, to the governor and assembly of their state that the adoption of the Confederation was regarded by Congress as of such momentous concern that probably all amendments would be rejected; "not so much", they said, "from an opinion that *all* the amendments are improper, as from the conviction, that if *any* should be adopted, no Confederation will take place, at least for some months, perhaps years; and in that case, many apprehend none will ever be entered into by all of the present United States". They then proceeded to point out the dangerous consequences that would probably follow.

By the close of June 25 all the states having delegates present had been called upon for their objections to the Confederation, had presented them, and all had received a decided negative. It remained then to prepare the form of ratification, engross the Articles, and present them for the signatures of such delegates as were authorized to sign them. Then, on June 27, just as Congress was on the point of adjourning to Philadelphia, it was discovered that the engrossed copy contained inaccuracies. Consequently the ratification had to be postponed until Congress should assemble again in Philadelphia. It was then planned to put this finishing stroke to the instrument on the anniversary of the Declaration, but, as it turned out, delegates were too laggard in assembling, so that it was July 7 before a quorum of members had gathered.

Even now some doubts and hesitations manifested themselves, particularly in the South Carolina delegation, and in no less a champion of the Confederation than Henry Laurens. One of the South Carolina delegates,

John Mathews, wrote gloomily to John Rutledge: "This I am clear in, from what I have seen, and know, since I have been in Congress, that if we are to have no Confederation until the Legislatures of the Thirteen States agree to one, that we shall never have one, and if we have not one, we are to have no Confederation until the Legislatures of the Thirteen that will follow at the end of this war." Nevertheless, on the 9th of July the delegates of eight of the states appended their signatures to the instrument.

The signatures of North Carolina and Georgia delegates, already assured, followed soon afterward, but Maryland, New Jersey, and Delaware, having essentially the same views, were not to be reconciled so easily as had been expected. According to the Articles ratification by all the states was necessary to put the Confederation in force; furthermore it was clearly recognized that the defection of this middle tier of states would in any case defeat the great purposes of the union. New Jersey and Delaware were not altogether hopeless, and even Maryland, James Lovell wrote, "will take airs and plague us, but upon our determination to confederate with 12 will do as she has always done—come in without grace".

Nathaniel Scudder of New Jersey undertook particularly the task of overcoming the scruples of his state. "These States", he wrote to the speaker of the assembly, "have actually entered into a Treaty with the Court of Versailles as a Confederated People, and Monsieur Girard, their Ambassador Plenipotentiary to Congress is now on our Coast with a powerful Fleet of Ships, which have taken a Pilot on Board for Delaware. He probably may be landed by this Time, and will at all Events be in Philadelphia in a few Days. How must he be astonished and confounded, and what may be the fatal Consequences to America when he discovers (which he will immediately do,) that we are *ipso facto* unconfederated, and consequently, what our Enemies have called us, 'a Rope of Sand' "? Scudder's plea was not without avail. In November New Jersey came forward with her act of ratification, and early in 1779 Delaware followed suit.

It soon became evident, however, that Maryland was not so likely to come into the Confederation either with or without grace and would probably continue to plague them for a long time to come, at least until substantial concessions should be made to her demands respecting the western lands. Richard Henry Lee in particular became so well convinced of this likelihood that in the middle of November he suggested to Governor Henry that Virginia, whose western claims were the chief obstacle to Maryland's accession to the Confederation, should voluntarily place a limitation upon those claims. It was long before this limitation was actually effected, but Lee's suggestion was a step toward a concession that ultimately brought about the willingness of Maryland to join her sister states in the Confederation.

Barring the days when the printing of one or two or five millions of bills would suffice for all needs, and perhaps a little besides, there was seldom a time when Congress was not seeking a solution for its financial difficulties. The quest might at times be painfully feverish, at other times as painfully laggard, but it was almost unceasing. The year 1778 brought forth most of the old problems and some new ones of its own.

The most disturbing aspect of the matter was of course the depreciation of the currency, which before the middle of the year was alarming, although the grand downward rush had scarcely begun. If it had been Congress money alone that was poured out upon the country, the case would not have been quite so serious. But the several states were contributing copious streams to the great current.

There was scarcely a member of Congress who did not know perfectly well that such large issues of fiat money would cause a decline in its value and a corresponding increase in prices, and almost without exception they utter frequent and loud groans over the calamity that was facing them. But what were they to do? They had endeavored by means of legislation, both state and Continental, supplemented by several sorts of moral suasion, to hold the money at its face value; they had tried the other horn of the dilemma, the regulation of prices, but had failed to accomplish the end desired. Regulation of prices had in fact proved to be a boomerang.

Requisitions upon the states had long since proved to be utterly inadequate, for the states might and did use their own time and pleasure in complying. Other expedients had been tried before for meeting the needs of the war, and they were tried again—domestic loans, foreign loans, even lotteries. But domestic loans had been disappointing in their results, foreign loans more so, and lotteries could at best but furnish pin money.

At the end of August a committee was appointed to go thoroughly into the whole question and make recommendations. The proceedings of Congress are accordingly much concerned during the next three months with the consideration of financial problems and the remedies offered. The tangle in which Congress found itself is well set forth in some observations, from the pen of Gouverneur Morris, drawn up in October for transmission to Franklin; it is further illustrated and accentuated in the correspondence of members. The urgency of the business is indicated by a resolve on November 10 that Congress would proceed upon the business of finance every day thereafter, "precisely at one o'clock, until the same be finished, and this rule be not broken unless by unanimous consent".

The measures which Congress finally adopted were brought to completion, so far as all essential features were concerned, on the last day of the year, though not until a few days later put into finished form. These essential features were: that fifteen millions should be raised by taxes during the year 1779 and six millions annually thereafter for eighteen years; that certain of the emissions, amounting to about forty-one millions,

should be called in and cancelled; that these emissions should be redeemed with loan-office certificates^a or new bills.

There was an effort to have Congress "cry down" the state emissions, but some members objected to this as an unwarranted interference with the rights of the states. As a reason for the cancellation of the particular emissions designated, Congress put forth the explanation that they had been much counterfeited. But Thomas Burke asserted that that was a mere pretence. This is not the place to gauge the success or failure of these measures. But it may pertinently be remarked that emissions kept right on coming forth jauntily and in increasing quantities.

As far back as December, 1776, Congress had resolved to put its executive business on a better basis. Something toward this end had been done in 1777, but not much. A little more was done in 1778, but not much. In April of this year a long-delayed plan was brought in for placing the treasury business in the hands of an outside board, but it mainly slumbered and slept, and it was well along in the autumn before the reorganization was accomplished, and even then it was only of the subordinate branches of the business. The most essential part of the plan was cast into the discard. In the spring also several members spoke as if the reform of the commercial department was practically settled; but it was not done. Just before the close of the year, the old commercial committee was thrown overboard and a new committee appointed, with slightly enlarged powers; but this was all. Near the end of the year a small change was made in the constitution of the board of war, but the essential character of the board, as it had existed for a year, a mixed body of members and outsiders, was not altered.

These standing committees of Congress were so fluctuating that there could be no such thing as a continuity of policy; there could scarcely be such a thing as a continuity of business. A striking illustration of this condition is the contract consummated between the commercial committee and De Francy, agent of Beaumarchais. The committee that presented that contract for the approval of Congress, April 7, that which signed it, April 16, and that which sent it abroad, May 16—the commercial committee in each instance—were almost entirely distinct in membership. Among those who complained often and vigorously against this condition of things was Josiah Bartlett. "The want of regular Boards . . . and the time it takes in such large Assemblies to transact business", he wrote, "keeps us forever behindhand in our affairs." Commercial, marine, and treasury affairs, he declared, were in a bad situation and would never be otherwise so long as they were managed by committees of Congress, "who can spare but little of their time to transact them, and are so constantly changing that before they get acquainted with the business they leave Congress and new members totally ignorant of the past transactions are appointed in their stead". John Penn went so far as to assert that unless persons not mem-

bers be appointed to relieve Congress of some of the business that pressed upon them daily, "we must all be ruined".

So many members express themselves so positively concerning the need of reform in all these matters that it becomes puzzling why greater progress was not made in rectifying these serious deficiencies in the transaction of affairs which lay at the very foundation of the conduct of the war and the whole business of government. Perhaps Gouverneur Morris hit the nail on the head when he offered a sort of apology to Washington for the dilatoriness of Congress in proceeding upon the army arrangement. "It is impossible", he declared, "to make Men of Business out of ——", leaving to Washington's imagination the interpretation of the blank.

Of this dilatoriness the case of the proposed rearrangement of the army is an excellent example. Initiated early in the year, the measure dragged its slow length through the months, until the very delay became dangerous, and yet, when the year had ended, the arrangement had been only partially accomplished. Reforms of the sort were usually begun with admirable enthusiasm, with clear recognition of the need of prompt action, and with apparent determination to bring about a speedy consummation. But enthusiasms cooled, visions became clouded, and purposes became weak and distracted.

It is perhaps worth while to take a glance at some of the appraisements of Congress emanating from within the circle of its own membership. Some allowance must of course be made for the individualities of the appraisers, their disappointments over the defeat of measures which they had zealously espoused, or the passage of measures which they had strenuously opposed; but from these expressions may be gleaned a residuum of truth. Such an expression as that of Gouverneur Morris to Jay in mid-winter, "the Continental currency and Congress have both depreciated", may be taken as an index of genuine conviction or as an effort to be facetious; but when he writes to Washington, "Should you determine on any Thing . . . let Congress know Nothing about it. . . . I will forfeit any Thing except Reputation that it will not be well kept, even by those necessarily confided in"; or when John Banister, delegate from Virginia, writes to Washington that within Congress will be found the greatest ignorance of military matters, "mixt with an inactivity that permits affairs of the greatest magnitude to lie dormant and give place to trifles", we may feel confident that these assertions rest on some fairly solid basis of fact.

In the first days of January Laurens has high praise for the few members "who faithfully attend their duty at the expense of domestic happiness and the improvement of the private Estates"; but his praise of the "faithful few" carries with it a criticism of the unfaithful many. The early months of the year are in fact filled with complaints of the deficiency of representation. At the end of January Laurens declared to President Lowndes that he might write a "long and affecting" paragraph on the

subject. The house had been "reduced to nine States represented in Units"; they had sometimes been "stagnant from a want of Members, and oftener running whole days into weeks of unmatured conversations". "All the States", he wrote later, "had for many months been exceedingly remiss in representation in Congress . . . this delinquency has cost the Union Millions of Dollars." "I hope we shall awaken by degrees", he added, "and in time to ward off a lash which may otherwise prove intolerable." To James Duane, who from New York had complained of some delay, Laurens retorted: "What Representation had ye for upward of three precious Months, when those things were done which ought not to have been done, and those left undone which ought to have been done?" "You very well know Sir", he continued, "the unavoidable drudgery of committees requires more *hands*—I am not competent to lecture upon *heads*—nor need I attempt a description to a Gentleman so well acquainted with the sagacity of the Stock which he left upon hand." A similar retort was made by rugged old Nathaniel Folsom to a criticism from Josiah Bartlett. "If you mean Congress", Folsom wrote, "I will not answer for them . . . if you mean me Personally Considerd and think you Could Do better hope you will in twenty four hours after Receiving this mount your horse and Come and Relieve me." It is a matter of record that Bartlett did not mount his horse for the journey to York until more than four months later.

A chief cause of the deficiency in representation during the first half of the year was the fact that Congress was sitting at York, a small village, neither as accessible nor as attractive as the city of Philadelphia. When they had taken refuge thither, many members had persuaded themselves that this retired situation would enable Congress to do more and better business than had been possible in Philadelphia, particularly under the conditions that had existed during the last fretful weeks before they had departed the city, when, if they listened to motions, discussions, and votes with one ear, they kept the other open for sounds of the British cannon. The accomplishments during the first few weeks of their enforced retirement had justified this hope. But conditions in York were anything but satisfactory. Members were especially irked by the lack of suitable living accommodations. One and all they found the expense excessive, and for some of them, "attended by very bad fare". James Lovell declared that the lime water had torn many of his countrymen's bowels out and had "driven several delegates home to their native springs". If it was not the high cost of living, or the decline of their health, that drove them home by ones and twos and threes, it was the urgent necessity for giving some attention to their long-neglected private affairs. Laurens intimates that some were even influenced by fear of "a sudden surprize by the Enemy".

Whatever may have superinduced the absences, with the coming of spring delegations began to fill again. James Lovell, who had previously

spoken with a degree of unction concerning those who had stood "a sad winter's campaign in York Town", wrote to Samuel Adams, April 18: "We are now come to the Season when certain birds of passage return who seldom appear in our flock during winter." In the early days of May Congress could muster all of twenty-three members, some of them "very able men", Laurens asserted; and just before the adjournment to Philadelphia they could count as many as thirty-four, an unusual number. It should here be recorded that Samuel Holten, who took his seat in Congress for the first time on the 22d of June, set down his impression that it was "a very august assembly".

There was not indeed so much complaint on the score of "hands", to use Laurens's words, but many members continued to find "heads" altogether unsatisfactory. When members had been particularly scarce at York Town Laurens had lamented that "some six-deep Orator" would probably prevent him from bringing in an urgent matter, even "edge-way"; and Charles Carroll of Carrollton had declared only the day before Lord North's conciliation bills appeared, "The Congress do worse than ever: We murder time, and chat it away in idle impertinent talk: However, I hope the urgency of affairs will teach even that Body a little discretion".

The removal to Philadelphia does not appear to have silenced the "six-deep orator", nor to have curtailed the length or frequency of the long-winded speeches. Josiah Bartlett in particular makes several charges during the summer and autumn against these obstacles to the proper conduct of business. To William Whipple he wrote, July 27: "I am sorry to say that sometimes matters of very small importance waste a good deal of precious time, by the long and repeated speeches and chicanery of gentlemen who will not wholly throw off the lawyer even in Congress." Too many members, he declared at another time, "think proper to make a long speech or two on every question however trifling".

An instance of the sort is mentioned by Laurens in a letter to President Lowndes of South Carolina—the date is August 20: "Three hours this Morning passed in debate whether Governor Franklin should be given in Exchange for Governor McKinly, the previous question by aye and nay, an Oration by S[amuel] C[hase] Esquire on the improvement of time with the life and characters of Elizabeth and Mary Qu[een] of Scots, the comparative beauty of black Eyes and blue Eyes—adjourned. Seldom a question upon a Million of Dollars, seldom an unquestionable demand for an hundred."

There must have been much of this sort of thing, for only a few days later (August 31), Titus Hosmer of Connecticut, his heart "overwhelmed with the most melancholy presages" because of the conduct of Congress, poured forth a long, bitter lament to Governor Trumbull: "The idleness and captiousness of some gentlemen, maugre the wishes and

endeavors of an honest and industrious majority, in my apprehension, threaten the worst consequences. . . . Nine States make a Congress, some States have delegates so very negligent, so much immersed in the pursuit of pleasure or business, that it is very rare we can make a Congress before near eleven o'clock . . . and those who occasion the delay are callous to admonition and reproof. . . . When we are assembled several gentlemen have such a knack at starting questions of order, raising debates upon critical, captious, and trifling amendments, protracting them by long speeches, by postponing, calling for the previous question, and other arts that . . . precious time is lost, and the public business left undone."

Hosmer's colleague, Andrew Adams, vouched for the accuracy of the "disagreeable truths" which Hosmer had written; nevertheless only a little while before he had himself put the case in a less unfavorable light. "There are here", he wrote, "as in most other Assemblys some very Sensable Speakers, and some very loud Talkers, you may make one Exception and then conceive a house composed of very able and sensible Gentlemen: but belonging to different states, whose Laws, Manners, Genius and Inhabitants and indeed almost every thing else very different."

One of the most doleful lamentations was that of John Mathews. To John Rutledge he wrote, just when Congress had assembled again in Philadelphia, beseeching him for God's sake to procure him leave to come home. "Those who have dispositions for Jangling and are fond of displaying their Rhetorical abilities", he said, "let them come. I never was so sick of anything in my life." At the end of September he was sicker than ever and gave utterance to an intense and prolonged wail. "Oh! my worthy friend", he wrote to Thomas Bee, "never was Child more sick of a school, than I am of this same business I am sent here upon. . . . I have found the thirst for Chattering so extremely prevalent, that it absolutely disgusts me, and frequently Seals my lips, least my conscience should upraid me with the commission of that very sin against our righteous cause, that I see daily committed by others, vizt. the loss of so much precious irretrievable time."

Cyrus Griffin appears to have reached a state of equally black despair, and confided his fears to Jefferson. "It appears to me", he wrote, "that Congress will shortly be dissolved. If large Emissions of Money, and visionary Expeditions do not bring forth our destruction, I greatly fear that *Party* will complete the matter. Congress exhibit not more than two or three Members actuated by Patriotism. . . . Congress are at present a Government of *Men*. It would astonish you to think how all affairs proceed upon the interested Principle: Members prostituting their votes in expectation of mutual assistance upon favorite Points." Griffin likewise threatened to quit Congress. "I will not", he declared, "sit in a house whose proceedings I cannot assent to with honor."

One of those things that give an inevitable shock of surprise in pursuing the Continental Congress through its ups and downs of many years is the quickness with which it rises upon occasion to a high plane of thinking and acting, and the like swiftness with which it slides back again into the mire of personal and local selfishness. The lamentations of John Mathews, Cyrus Griffin, and others were doubtless genuine enough when uttered and probably had a sufficient cause; but the moods of Congress changed, and so also did the moods of members. It is proper to record here that there came a change in the mood of John Mathews. He did not keep his high resolve to get out of Congress and stay out. He did withdraw before the end of the year, but in a few months he was back again and abode with them for some time. A change must also have come over Cyrus Griffin's dreams, for, though he did presently take his departure, not long afterward he returned, tarried almost two years longer in that house of abominations, and then passed to another office by election of Congress. They were both good men and true.

The latter part of the year 1778 is particularly notable because of the outbreak in an acute form of the controversy over the conduct of Silas Deane as one of the commissioners of the United States in France. During the preceding year Congress had been so greatly worried by the applications of French officers who had come over under agreements made by Deane, that those contracts were finally repudiated and Deane himself recalled. The letter of recall, described by James Lovell, the sole remaining fragment at that time of the committee of foreign affairs, as "a small plaster for a large wound", was despatched on December 8, 1777. Deane arrived at Philadelphia, in company with the French minister, on the 12th of July following. Meanwhile there had been brewing charges against him of a different sort, chief among them that he had engaged in private commercial ventures and had misapplied the public funds. Involved in the bill of indictment was also the question whether the supplies furnished by Beaumarchais were a charge against the United States, as Deane insisted, or were a gift from the French government, as maintained by Arthur Lee. This question had an immediate and direct bearing upon the relations of the United States with their great and good ally, and remained a bone of contention for many a long year to come. Even to this day, a hundred and fifty years after, the bone is occasionally picked or serves to raise a growl.

These charges against Deane had originated with Arthur Lee, a fellow commissioner, who, through his brothers and other friends in Congress, zealously pressed for an investigation of Deane's conduct. With the personal elements involved we need not now be concerned, neither is it the purpose here to follow the controversy through all its tortuous windings, leading, as they do, beyond the period of the present volume.

It is pertinent to speak at this point of a remark in Wharton's *Revolutionary Diplomatic Correspondence* (I. 281). "Were we able", says Wharton, "to decipher the letters written on congressional politics by Richard Henry Lee and of his correspondents, . . . no doubt much of the cloud which hangs over the congressional intrigues of that critical period would be removed." Wharton evidently believed that the cipher letters of Richard Henry Lee would throw a flood of light on the Conway Cabal. The present editor has deciphered all such letters as have been found; they cast light upon party divisions and personalities in Congress, but there are no revelations upon the Conway Cabal. The mysterious letters, some of which are to be found in this volume, for the most part relate to the controversy between the Lees and Silas Deane; they contribute a goodly quantum of ingredients to that witches' cauldron.

On July 28 Deane requested an audience of Congress that he might give an account of their affairs in Europe and of his own conduct in particular. His first hearing was on August 15. It had not proceeded far when a motion was made to require him to reduce his narrative to writing. The motion did not at that time prevail, but the debate upon it served to show clearly that Congress already had split into two distinct and hostile factions on the subject, a split that was destined to become wider with the months and in the end to bring the whole cause to the verge of ruin. "Your friend Deane, who hath rendered the most essential service", wrote Gouverneur Morris to John Jay, "stands as one accused. The Storm increases, and I think some one of the tall trees must be torn up by the roots." Henry Laurens, likewise, speaking of this debate, declared, "I clearly discovered that my fellow labourers had as absolutely taken sides as it can be supposed Gentlemen are capable of in a *pure unbiased* Assembly. I have taken the liberty to recommend the fillet and scales of Justice to one of my worthy Colleagues who appears strongly attached to one of the parties". His colleague, William Henry Drayton, might with equal propriety have retorted upon Laurens in like terms; for if Laurens had not already definitely thrown in his whole weight against Deane, he certainly did not take an unbiassed part thereafter. Indeed, before ever Deane arrived in America there was scarcely a member of Congress who had not definitely espoused the one side or the other.

Deane time and again besought Congress to resume its inquiries of him and release him; failing to obtain his request, he decided to go over the heads of Congress and appeal his cause directly to the people. On the 5th of December he published in the *Pennsylvania Packet* an address "to the free and virtuous citizens of America", in which he not only defended his own course, but brought counter-charges against the Lees. To say that the fat was in the fire is to put the matter very mildly. Deane's opponents denounced his publication as an insult to Congress, while his friends saw in his appeal only the effort of a much wronged man to defend his own character.

"This Appeal", wrote Laurens, "this rash unnecessary appeal I trust will this day be attended to in Congress. . . . the honor and interests of these United States call upon every Delegate in Congress for support. If therefore other Men shall be silent, I will deliver my sentiments on this very extraordinary circumstance and I have in prospect the production of much good out of this evil."

The first step toward this end was to have Deane's address read in Congress. This was unsuccessful, but it was resolved that thereafter Deane must make his reports in writing. "Failing", Laurens wrote, "in my attempt to rouse Congress to the Vindication of their honor, I felt for my own, and Resolved to descend from the Chair to the floor where I could be of the most real service to my Country."

What stands in the Journals is so briefly and mildly stated that it gives no inkling of the fire that was burning so furiously in that body. The Journals of December 8 make no mention of Deane or his affair, but the moment that Congress assembled on the morning of the 9th President Laurens presented his resignation, assigning "sundry reasons" why he could not continue longer to execute the office. Congress paused only long enough to assign the next day for the election of a president and forthwith adjourned. What were Laurens's sundry reasons are not recorded in the Journals, but some thirty-odd years ago a copy of the speech which he made to Congress was discovered and printed and is now to be seen in the latest edition of the *Journals*. From other papers to be found in this volume additional light is thrown upon the episode.

From this far distance it would seem that Deane had abundant reason for losing patience. At best there was a lack of consideration for the feelings of a man whose honor was involved, and at worst his chief opponents were eager to inflict punishment upon him, even by delaying the investigation. But perhaps Deane failed to give due consideration to the fact that Congress had been struggling with a number of weighty matters, some of them indeed too weighty for the shoulders upon which they were laid. In particular he seems to have overlooked the fact that, at the moment when his exasperation broke bounds, Congress was in a state of high resentment over certain exceedingly offensive epithets which General William Thompson was alleged to have applied to that body collectively and to the Honorable Thomas McKean in particular. Whatever else might happen, Congress must first of all defend its own dignity. With what success the task was accomplished may be left to any one who reads the record of General Thompson's trial; for Secretary Thompson (not, it is believed, a kinsman of the general) kept that record with meticulous care. Would that he had been as meticulous on many another occasion, when matters were in agitation even more momentous than the question what, for instance, were the precise epithets, if any, which General Thompson had used, what adjectives, if any, were prefixed thereto, whether the

terms were in the singular or the plural, and if applied only to the Honorable Mr. McKean, whether to him as a member of Congress or only as a private individual.

Deane began the reading of his narrative on the 22d of December and finished it on the last day of the month, when he was informed "that Congress will notify to him their future orders". In the meanwhile, outside of Congress another important part of this drama was being enacted. The critics of Deane had obtained as the chief advocate of their cause before the public the exceedingly nimble pen of Thomas Paine, whose pamphlet *Common Sense* had in the winter of 1776 had so extraordinary an influence in behalf of independence. At this time Paine was secretary to the committee for foreign affairs. Richard Henry Lee, himself involved in Deane's charges, came forth in several articles, although over an assumed name, hurling denunciation as well as argument at Deane's head. Deane, on his part, found other pens than his own ready and eager to join in his defense. "Senex", "Plain Truth", and other knights of the quill, with visors drawn, plunged into the fray, and there was as furious a newspaper war as ever our Revolutionary forebears, who dearly loved such wars and knew so well how to wage them, had ever beheld. It was in the very midst of this din of recriminations that the year 1778 sadly passed out, leaving as an inheritance to its successor this pestiferous bag of troubles destined to vex and bedevil Congress for many a day to come.

The year 1778 had in fact been notoriously one of factional strife in Congress. It had not been a happy one for the country. A winter of bitter discontent had been followed by other seasons of trial and tribulation. The year had been witness to great abuses in the conduct of public business, and, not the least of evils, of exasperating deficiencies within the halls of Congress. Something had been accomplished toward the cure of these several ills, but much more remained to be done. Confidence in the ultimate success of the cause had never quite vanished, though unquestionably it had at times sunk very low. News from the fighting front had now and then lifted the gloom, but had not wholly banished the cloud. Declining hopes had been quickened into new life by the French alliance, but the joy over that event was not without its tang of regret, a wish that the country might have been able to win by its own unaided might. Messengers from the enemy had come bearing an olive branch of a sort, but the one thing needful they had not brought, the grant of independence. Until that was acknowledged the war must go on. But for those hopeful members of Congress and others who were wont to exclaim "one good campaign more and the thing is done", a painful and prolonged disillusionment was in store.

EDMUND C. BURNETT.

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LIST OF MEMBERS.

CONNECTICUT.

Andrew Adams.

Elected: (See vol. II.) ; Oct. 21, 1778 (for the year ensuing the first Monday of Nov. next).¹

Attended: July 9 to Oct. 2 (?), 1778.

Roger Sherman wrote to Governor Trumbull Oct. 6 (see no. 559): "Majr. Adams being unwell set out to go home last Saturday" (Oct. 3).

Eliphalet Dyer.

Elected: (See vol. II.) ; Oct. 21, 1778.

Attended: (See vol. II.) ; Jan. 1 to Apr. 3; Dec. 15-31, 1778.

Dyer obtained leave of absence Apr. 3, and is not thereafter recorded as voting until his return in December. However, Oliver Wolcott wrote to Mrs. Wolcott Apr. 7 (Conn. Hist. Soc., Wolcott Papers): "this . . . will be sent by Mr. Frost a Deligate from N Hampshire or Col Dyer who will probably Return to Morrow."

Oliver Ellsworth.

Elected: (See vol. II.) ; Oct. 21, 1778.

Attended: Oct. 8 to Dec. 31, 1778.

Titus Hosmer.

Elected: (See vol. II.) ; Oct. 21, 1778.

Attended: June 23 to Sept. 10, 1778.

Hosmer was granted leave of absence Sept. 10, 1778, and probably took his departure Sept. 11 (see the *Journals*). He is not however recorded as voting after Sept. 4.

Samuel Huntington.

Elected: (See vol. II.) ; Oct. 21, 1778.

Attended: Feb. 16 to July 7, 1778.

Both Huntington and Wolcott obtained leave of absence July 7, but they may not have left until the arrival of Andrew Adams, who attended July 9.

Jesse Root.

Elected: Oct. 21, 1778.

Attended: Dec. 15-31, 1778.

Roger Sherman.

Elected: (See vol. II.) ; Oct. 21, 1778.

Attended: Apr. 25 to Aug. 15; Oct. 1 to Dec. 16, 1778.

Sherman was appointed Aug. 10 on the committee for arranging the army and was absent from Congress on that business from about Aug. 16 to Oct. 1 (see nos. 455, 512, 548, 559). A letter from Sherman to Oliver Wolcott, written from Hartford, Jan. 12, 1778, is illustrative of one of the problems of keeping up a state's representation: "I received Yours of the 1st instant by Mr. Strong Informing that you were about to set out to Albany to treat with the Indians, 'till then I was in hopes you were gone forward to Congress from the discourse we had at Hartford, and from what I had heard afterward that you talked of going last month. I received a letter from Col. Dyer some time ago wherein he writes that he proposes to stay 'till the last of March, and that he expected two to come immediately instead of Mr. Law and Col. Williams. Mr. Huntington has concluded to go as soon as he can get ready, for which purpose he went home last Friday, and it is expected that you or Major Adams will go with him or as soon as may be. I expect to go to relieve Col. Dyer by the time

¹ The terms and conditions of election apply, unless otherwise stated, to all delegates from a state chosen at the same time.

he proposes to return home. Congress have wrote to the Govr. requesting that a full representation may be immediately sent forward from this State, as very important matters are to be transacted this winter" (Conn. Hist. Soc., Wolcott Papers, I. 41).

Oliver Wolcott.

Elected: (See vol. II.).

Attended: Feb. 16 to July 7, 1778. (See nos. 100, 198, 246, 321, 371.)

DELAWARE.

Thomas McKean.

Elected: (See vol. II.); Dec. 17, 1777 (no definite limit of time).

Attended: Jan. 30 to Mar. 9 (?); Mar. 19 to Apr. 3 (or later); Apr. 21-26 (or later); May 11 (or earlier) to June 23 (or later); Aug. 15 to Sept. 14; Oct. 12-13 (or later); Oct. 31 (or earlier) to Nov. 3 (or later); Nov. 23 (probably earlier and later); Dec. 16 (or earlier) to Dec. 31, 1778.

McKean's attendance was irregular and cannot be traced with any degree of definiteness. The record set down above is for the most part merely what can be made out from the *Journals*, and from his correspondence. His letter to George Read Apr. 3, for instance, indicates that he returned to Congress Mar. 19, after an absence of ten days. Even within the periods of attendance for which he is credited there are gaps, indicating probable absence. See also nos. 180, 243, 244, 357, 599, the *Journals*, Mar. 12, Oct. 2; also the note under Rodney.

Caesar Rodney.

Elected: (See vol. II.); Dec. 17, 1777.

Did not attend in 1778.

Although Rodney wrote to McKean Mar. 9 (Hist. Soc. of Pa., McKean Papers, I. 14) that he was coming to Congress as soon as the assembly adjourned, he does not appear to have attended at any time during 1778.

Nicholas Van Dyke.

Elected: (See vol. II.); Dec. 17, 1777.

Attended: Sept. 2-16 (or later); Nov. 24 to (?), 1778.

There is no record in 1778 of Van Dyke's presence in Congress after his attendance Nov. 24.

GEORGIA.

Nathan Brownson.

Elected: (See vol. II.).

Did not attend in 1778.

The report mentioned in the *Journals*, p. 231, as in Brownson's writing is doubtless from another hand.

Joseph Clay.

Elected: Feb. 26, 1778 (for the ensuing year).

Did not attend.

Lyman Hall.

Elected: (See vol. II.); Feb. 26, 1778.

Did not attend in 1778.

Hall, it appears, was expected about the middle of May (see no. 267), but there is no record that he ever arrived.

Edward Langworthy.

Elected: (See vol. II.); Feb. 26, 1778.

Attended: (See vol. II.); Jan. 1 to June 27 (?); Aug. 15 to Dec. 26 (or later), 1778.

While there is no record of yeas and nays between May 23 and June 12, Langworthy is presumed to have been in attendance. Nevertheless he was evidently absent for a few days at the beginning of June, as Henry Laurens mentioned June 3 (no. 317) that Georgia was not represented. Similarly, while there is no

record of his presence at York after June 23 (the last of the recorded votes there), it is presumed in his case, as in numerous others, that he remained until the adjournment to Philadelphia. He was evidently absent the last three or four days of December, but he was again present and voting Jan. 2, 1779.

Edward Telfair.

Elected: Feb. 26, 1778.

Attended: July 13 to Nov. 16 (?), 1778.

Telfair obtained leave of absence Nov. 13, 1778, and doubtless took his departure about that time. He may have remained until Nov. 16, as the letter from Harnett to Caswell, introducing Mr. Walton and Mr. Telfair, though dated Nov. 10 in *N. C. State Recs.*, XIII. 270, is listed in Henkel's *Catalogue*, no. 1074, III. 223, under the date Nov. 16.

George Walton.

Elected: (See vol. II.); Feb. 26, 1778.

Did not attend in 1778.

John Walton.

Elected: Feb. 26, 1778.

Attended: July 23 to Aug. 4 (or later); Aug. 31 (or earlier) to Nov. 16 (?), 1778.

Walton appears to have been absent most of the month of August, as his name is missing from the yeas and nays from Aug. 5 to 22. With regard to the date of his departure, see the note under Telfair.

Joseph Wood.

Elected: (See vol. II.); Feb. 26, 1778.

Attended: Jan. 1 to Feb. 27 (or later), 1778.

MARYLAND.

William Carmichael.

Elected: Nov. 13, 1778 (no time limit specified).

Attended: Nov. 19 to Dec. 31, 1778.

Charles Carroll of Carrollton.

Elected: (See vol. II.); Dec. 22, 1777 (for and during the term of one year).

Attended: Apr. 15 to June 27 (?), 1778.

Carroll was appointed Jan. 20, 1778, on the committee "to repair to camp", but did not join the committee (see no. 56). His last record in the *Journals* is June 23 (yeas and nays), but he probably remained until the adjournment from York.

Samuel Chase.

Elected: (See vol. II.); Dec. 22, 1777.

Attended: Mar. 23 to May 8 (or later); July 13 (or earlier) to Oct. 8, 1778.

James Forbes.

Elected: Dec. 22, 1777; Nov. 13, 1778.

Attended: Jan. 17 to Apr. 17; July 13 to Oct. 2 (or later), 1778.

John Henry, jr.

Elected: Dec. 22, 1777; Nov. 13, 1778.

Attended: Jan. 20 to May 30; Aug. 29 to Dec. 31, 1778.

Henry is not recorded as voting Oct. 29; he may therefore have been absent some part of the time between Oct. 21 and Nov. 2. (See no. 576.)

Daniel of St. Thomas Jenifer.

Elected: Nov. 13, 1778.

Did not attend in 1778.

William Paca.

Elected: (See vol. II.); Nov. 13, 1778.

Attended: (See vol. II.); Nov. 19 to Dec. 12 (or later), 1778.

George Plater.

Elected: Dec. 22, 1777; Nov. 13, 1778.

Attended: Apr. 18 (or earlier) to June 27 (?); July 22 to Sept. 22 (or later), 1778.

Although there is no record in the *Journals* of Plater's presence at York after June 23 (yeas and nays), it may be presumed that he remained until the adjournment.

Thomas Stone.

Elected: (See vol. II.); Dec. 22, 1777.

Attended: (See vol. II.); Sept. 25 to Oct. 8, 1778.

MASSACHUSETTS.

John Adams.

Elected: (See vol. II.); Dec. 4, 1777 (for the ensuing year, *i. e.*, from Jan. 1, 1778).

Did not attend in 1778. See under Samuel Holten.

Samuel Adams.

Elected: (See vol. II.); Dec. 4, 1777.

Attended: (See vol. II.); May 21 to Dec. 31, 1778.

Francis Dana.

Elected: (See vol. II.); Dec. 4, 1777.

Attended: (See vol. II.); Jan. 1-17 (?); Mar. 24 (or earlier) to Aug. 11, 1778.

Dana was appointed on the committee to camp Jan. 10, and probably left for headquarters Jan. 17 (see nos. 40, 62). With regard to his return see no. 161, and the *Journals*, Mar. 26. He obtained leave of absence Aug. 7, and Samuel Adams wrote to James Warren Aug. 9, "Mr. Dana purposes to set off early tomorrow Morning" (*Warren-Adams Letters*, II. 41). He is nevertheless recorded as voting Aug. 11.

Elbridge Gerry.

Elected: (See vol. II.); Dec. 4, 1777.

Attended: (See vol. II.); Jan. 1 to Dec. 31, 1778.

If Gerry was absent during the year, it was for no more than a few days at a time.

John Hancock.

Elected: (See vol. II.); Dec. 4, 1777.

Attended: (See vol. II.); June 19 to July 9, 1778.

Samuel Holten.

Elected: Feb. 10, 1778 ("to serve for the ensuing year in the room of the Hon'ble John Adams, Esqr.").

Attended: June 20 to Dec. 31, 1778.

The *Journals* record Holten as taking his seat June 22. He himself says, however, that he first attended on June 20 (see no. 363). He was absent Dec. 17-20 on account of illness (see nos. 679, 690).

James Lovell.

Elected: (See vol. II.); Dec. 4, 1777.

Attended: (See vol. II.); Jan. 1 to Dec. 31, 1778.

Robert Treat Paine.

Elected: (See vol. II.); Dec. 4, 1777.

Did not attend in 1778.

NEW HAMPSHIRE.

Josiah Bartlett.

Elected: (See vol. II.); Mar. 14, 1778 ("for and during the term of one year from the date hereof unless sooner recalled"); Aug. 19, 1778 ("for one year, from the first of November next unless sooner recalled").

Attended: (See vol. II.); May 21 to Nov. 3, 1778.

Bartlett obtained leave of absence Oct. 31, but evidently remained in Philadelphia until Nov. 3 (see no. 588, note 5).

Nathaniel Folsom.

Elected: (See vol. II.); Apr. 1, 1777 (for one year next ensuing).

Attended: (See vol. II.); Jan. 1-17 (?) ; Mar. 24 (or earlier) to Apr. 1, 1778.

Jan. 10 Folsom was appointed on the committee to camp, departed for headquarters about Jan. 17, and remained there until about Mar. 24. The *Journals* mention Mar. 26 that two of the committee had returned (they were Dana and Folsom), but Dana had certainly returned by the 24th, and probably Folsom also.

George Frost.

Elected: (See vol. II.); Aug. 19, 1778.

Attended: Jan. 1 to Apr. 7 (?) ; Nov. 25 to Dec. 31, 1778.

Oliver Wolcott wrote to his wife, Apr. 7: "this . . . will be sent by Mr. Frost a Deligate from N Hampshire or Col Dyer who will probably Return to Morrow" (Conn. Hist. Soc., Wolcott Papers, II. 50).

John Wentworth, jr.

Elected: Mar. 14, 1778; Aug. 19, 1778.

Attended: May 30 to June 18 (or later), 1778.

For terms of election see under Bartlett. Josiah Bartlett wrote to President Weare July 11: "Mr. Wentworth had a fever at York Town was pretty bad I tarried with him 4 days after the Congress adjourned left him better Thursday the 2nd Instant have not heard from him since Hope he will be here the beginning of the week" (Library of Congress, Force Trans., Weare). Aug. 18 Bartlett again wrote: "Mr. Wentworth is in town but does not attend public business" (see no. 472). He took his departure Aug. 21 (see no. 507).

William Whipple.

Elected: (See vol. II.); Aug. 19, 1778.

Attended: (See vol. II.); Nov. 5 to Dec. 31, 1778.

Whipple was one of a committee (with Nathaniel Scudder and Gouverneur Morris) which served under two appointments (Nov. 5 and 10) in the superintendence of the quartermaster's department. He does not however appear to have been absent from the sessions on that account, unless it may have been in those days prior to Nov. 16, when no yeas and nays are recorded. See under Scudder and Morris.

NEW JERSEY.

Elias Boudinot.

Elected: (See vol. II.); Nov. 20, 1777.

Attended: July 6-15 (or later); July 30 (or earlier) to Aug. 20 (or later), 1778.

Boudinot wrote to his wife July 7: "Thro' the goodness of God I arrived here, after a very disagreeable, tedious Ride, on Sunday Morning. Yesterday took my seat in Congress" (*Life*, I. 151). The *Journals* record that he took his seat July 7, but that was the first day on which a quorum was obtained. He did not vote between July 15 and 31, and was probably absent some part of that period. He was probably present, however, July 30, when the resolve which concerned him was adopted.

Abraham Clark.

Elected: (See vol. II.); Nov. 20, 1777.

Attended: (See vol. II.); Jan. 1 to Apr. 7 (or later), 1778.

Jonathan Elmer.

Elected: (See vol. II.); Nov. 20, 1777.

Attended: (See vol. II.); May 26 to July 25 (or later); Aug. 18 (or earlier) to Sept. 2; Sept. 16-(?) ; Oct. 6 (or earlier) to Oct. 16 (or later), 1778.

Elmer offered his resignation Sept. 17 (*N. J. Rev. Corr.*, p. 128).

John Fell.

Elected: Nov. 6, 1778 (for one year from Dec. 1).

Attended: Dec. 5-31, 1778.

Frederick Frelinghuysen.

Elected: Nov. 6, 1778.

Did not attend in 1778.

John Neilson.

Elected: Nov. 6, 1778.

Did not attend in 1778.

Nathaniel Scudder.

Elected: (See vol. II.); Nov. 6, 1778.

Attended: Feb. 9 to May 23; June 19 to July 7; July 24 (or earlier) to

Aug. 31 (or later); Oct. 6 to Dec. 5 (or later); Dec. 29-31, 1778.

Nov. 5 and 10 Scudder was appointed, with Gouverneur Morris and William Whipple, on committees pertaining to the quartermaster's department (see nos. 609, 619-623), and in that capacity was probably frequently absent from the sessions of Congress.

John Witherspoon.

Elected: (See vol. II.); Nov. 6, 1778.

Attended: (See vol. II.); Jan. 1 to Feb. 19; May 16 (or earlier) to July 31 (or later); Aug. 7 (or earlier) to Aug. 17 (or later); Aug. 27 (or earlier) to Sept. 4 (or later); Sept. 15-26 (or later); Oct. 8 (or earlier) to Nov. 5 (or later); Nov. 25-27 (?); Dec. 15-31, 1778.

Witherspoon is recorded as voting as late as Feb. 17. That he left Congress Feb. 19 is evidenced by a letter from President Laurens to Governor Livingston of New Jersey, Mar. 1: "On the 19th Ulto. by the hand of Doctr. Witherspoon I had the honour of transmitting", etc. (President's Letter-Book, I, 204; see also Laurens to Wharton Feb. 21, *Pa. Arch.*, first ser., VI, 284). Witherspoon's attendance at Congress, as evidenced by the *Journals* and otherwise, was very sporadic, particularly after the return of Congress to Philadelphia. It is quite probable that there were absences of several days from time to time which are not here accounted for. The period from Oct. 8 to Nov. 2 in particular gives rise to a doubt whether he was in constant attendance during that period, for he is not recorded as voting Oct. 29. This was, however, the only vote taken between Oct. 21 and Nov. 2. The irregularity of Witherspoon's attendance is later emphasized by his colleague, John Fell. His attendance Dec. 15 is learned from Fell's Diary (no. 675).

NEW YORK.

James Duane.

Elected: (See vol. II.); Oct. 16, 1778 (no definite time limit; see vol. II., p. lviii, under Duane).

Attended: (See vol. II.); Nov. 19 to Dec. 31, 1778.

Among the Duane Papers in the N. Y. Hist. Soc. is a statement (copy, in the writing of S. W. Jones) of his account for public services from 1774 to 1781 (attached to a speech delivered before the New York legislature about June, 1781). Following are the items pertaining to his services in and on behalf of Congress during the year 1778:

"On business as Comr. of Ind. affairs 15th Feby. 1778 to March 13th, May 5th to May 14th 1778 (1st to 13 June) on an Indian Treaty at Albany and from 2d July to 13th by a Resolution of Congress. On an Indian Treaty from 1st to 13 June at Albany—1778 Octr. 21st to 5th Nov. 1778 to 18 October 1779 attended Congress."

Nov. 5 is doubtless the date of his departure for the seat of Congress.

William Duer.

Elected: (See vol. II.); Oct. 3, 1777.

Attended: (See vol. II.); Jan. 1-31 (or later); Mar. 27 (or earlier) to Nov. 16 (or later), 1778.

Duer was probably in attendance Mar. 27, as he was appointed on a committee on that day; but cf. no. 193. He wrote to Lord Stirling Nov. 6 that he had resigned his seat (Haverford College, Roberts Coll.), and the last record of

him in the *Journals* is Nov. 16. The report of the board of war dated Dec. 20, 1778, found in the *Journals* under Dec. 31 (p. 1238), in which the members of the board attending are set down as Francis Lightfoot Lee, Duer, Harvie, and Joseph Jones, is, in fact, part of a report of Dec. 20, 1777 (see the *Journals* under that date). Of these four only Lee was at that time in attendance.

William Floyd.

Elected: (See vol. II.) ; Oct. 16, 1778.

Did not attend in 1778.

John Jay.

Elected: (See vol. II.) ; Nov. 4, 1778 ("until the first day of March next"). The election was on Nov. 4, the credentials were signed by Governor Clinton Nov. 10, and they passed the secretary's office Nov. 15 (see the *Journals* under Dec. 7, 1778).

Attended: Dec. 7-31, 1778.

Francis Lewis.

Elected: (See vol. II.) ; Oct. 16, 1778.

Attended: (See vol. II.) ; Jan 1-20 (?) ; Feb. 14 to Apr. 4 (or later) ; June 11 (or earlier) to June 27 (?) ; July 31 (or earlier) to Oct. 16 (or later) ; Nov. 16 (or earlier) to Dec. 31, 1778.

Lewis obtained leave of absence Jan. 20, 1778, for eight days (see also nos. 31, 55), but he does not again appear in the record until Feb. 14. That he returned on that day is indicated by no. 93. There is no record of him in the *Journals* between Feb. 27 and Mar. 18, and he may have been absent some part of this period.

Philip Livingston.

Elected: (See vol. II.) ; Oct. 3, 1777.

Attended: (See vol. II.) ; May 5 to (?), 1778.

Livingston wrote to Col. Robert Livingston from Sturly, Mar. 25, "I expect to set off for Congress to Morrow" (Hist. Soc. of Pa., Etting Coll., Signers, f. 55). The *Journals* record his attendance only on May 5, and he may not have attended beyond that day. He was at all events presently taken sick, and died June 11 (see no. 267).

Gouverneur Morris.

Elected: (See vol. II.) ; Oct. 16, 1778.

Attended: Jan. 20-23 (?) ; Apr. 15 to Dec. 31, 1778.

Jan. 20, Morris was appointed on a committee to repair to headquarters, and took his departure probably Jan. 23 (see nos. 44, 50, 62). He is again recorded as voting Apr. 15, and probably returned that day or the day before. Nov. 5 and 10 he was appointed on committees (with Nathaniel Scudder and William Whipple) pertaining to the quartermaster's department (see nos. 609, 619-623), and as there is no record of him in the *Journals* for about three weeks thereafter, he was probably absent from the sessions much of that time.

Philip Schuyler.

Elected: (See vol. II.) ; Oct. 16, 1778.

Did not attend in 1778.

NORTH CAROLINA.

Thomas Burke.

Elected: (See vol. II.) ; Aug. 13, 1778 ("for and during the term of one year, unless sooner removed by the general assembly").

Attended: (See vol. II.) ; Mar. 12 (or earlier) to Apr. 28 ; Dec. 14-31, 1778.

With regard to Burke's refusal to attend after Apr. 28, see nos. 220, 226.

Cornelius Harnett.

Elected: (See vol. II.) ; Apr. 28, 1778 (the commission is dated May 2, but the election was for one year from Apr. 28 ; see the *Journals*, July 16).

Attended: (See vol. II.) ; Jan. 1-30 (?) ; Mar. 14 to Apr. 25 ; Aug. 10 to Dec. 16 (or later), 1778.

Concerning Harnett's absence from about Jan. 30 on account of illness, see nos. 74, 86, and *N. C. State Recs.*, XIII. 20, 370, 374. In a letter to William Wilkinson, Mar. 7, he stated that he had been unable to attend Congress for some days on account of bad weather (Haverford College, Roberts Coll., 732). Harnett obtained leave of absence Apr. 23 and took his departure Apr. 26 (see nos. 162, 225; cf. nos. 242, 243, 244). Concerning his return, see *N. C. State Recs.*, XIII. 136. He obtained leave of absence Dec. 16 and doubtless took his departure at once, as he was only awaiting the arrival of Burke and Hill (see no. 642).

Whitmill Hill.

Elected: Aug. 13, 1778.

Attended: Dec. 14-31, 1778.

John Penn.

Elected: (See vol. II.); Apr. 28, 1778.

Attended: (See vol. II.); Jan. 1 (?) to Mar. 20 (or later); July 16 to Dec. 14 (?); Dec. 23-31, 1778.

Although Penn's name is absent from the yeas and nays Jan. 2 and 3, there is no other indication of his absence at that time. His departure about Mar. 20 is indicated by no. 162 (cf. no. 149). His name is also absent from the yeas and nays Dec. 16-22, and he was doubtless absent for some days after the arrival of Burke and Hill (Dec. 14).

John Williams.

Elected: Apr. 28, 1778.

Attended: Aug. 4 to Dec. 16; Dec. 23-26, 1778.

Williams obtained leave of absence Dec. 16, and is not recorded among the yeas and nays taken subsequently on that day. His name does, however, again appear among the yeas and nays Dec. 23 and 26 (though not on the 24th), but not again thereafter.

PENNSYLVANIA.

John Armstrong.

Elected: Nov. 20, 1778 ("for the ensuing year").

Did not attend in 1778.

Samuel Atlee.

Elected: Nov. 20, 1778.

Attended: Dec. 24-31, 1778.

Edward Biddle.

Elected: Nov. 20, 1778.

Did not attend in 1778.

William Clingan.

Elected: (See vol. II.); Nov. 20, 1778.

Attended: (See vol. II.); Jan. 1 to Mar. 24 (or later); Apr. 25 (or earlier) to May 19 (or later); June 16 (or earlier) to June 27 (?); Sept. 14 (or earlier) to Dec. 2 (or later), 1778.

Clingan's first attendance under the appointment of Dec. 10, 1777, is not recorded in the *Journals*, but his name appears among the yeas and nays Jan. 2. It is assumed that he was in attendance Jan. 1. The record in the *Journals* Nov. 25 of the attendance of Clingan, Roberdeau, and Searle applies to their attendance under the appointment of Nov. 20. Clingan and Roberdeau had already been in attendance under a previous appointment.

Robert Morris.

Elected: (See vol. II.).

Attended: (See vol. II.); May 13 (or earlier) to May 15 (or later); July 9 (or earlier) to Aug. 16 (or later); Aug. 26 (or earlier) to Oct. 16 (or later), 1778.

Morris's name is missing from the yeas and nays during several brief periods not here noted, probably, though not necessarily, due to non-attendance. Morris wrote to William Bingham from Manheim, Mar. 10: "I am just setting out

for York" (Library of Congress, Morris Papers). There is however no record in the *Journals* of his attendance at that time. (Cf. no. 133.)

Joseph Reed.

Elected: (See vol. II.).

Attended: Apr. 6-11; July 15 to Aug. 17 (or later); Sept. 15 to Oct. 12 (or later), 1778.

Jan. 10 Reed was appointed, with Dana and Folsom (see also under Harvie and Gouverneur Morris), on the committee to headquarters and was engaged in that task until about Mar. 30 (see the *Journals*, p. 310). As Reed's name is several times missing from the yeas and nays there were probably occasional absences not here accounted for.

Daniel Roberdeau.

Elected: (See vol. II.); Nov. 20, 1778.

Attended: (See vol. II.); Jan. 1 to Apr. 11; May 26 to June 27 (?); July 7 (?)-11 (or later); Aug. 5 (?)-11 (or later); Aug. 18 (or earlier) to Nov. 28 (or later); Dec. 16 (or earlier) to Dec. 31, 1778.

Roberdeau obtained leave of absence Apr. 11, and again Aug. 7. It is presumed in his case, as in that of many others, that he remained until the adjournment from York, but the substitution of Mathews for Roberdeau on a committee June 24 may mean that Roberdeau had taken his departure. He was appointed on a committee (Gérard's reception) July 11, but he may not have been present, for the *Journals* give no other indication of his presence until Aug. 7. On that day he obtained leave of absence, a leave which may not have been taken until after Aug. 11, although he was, apparently, absent on the 8th, and possibly on the 9th and 10th. There are other brief gaps in his record which may be due to non-attendance.

James Searle.

Elected: Nov. 20, 1778.

Attended: Nov. 25 to Dec. 21; Dec. 29, 1778.

Searle voted Dec. 21 but appears to have been absent Dec. 22 (see the *Journals*), and does not appear in the records again except on Dec. 29. He may nevertheless have attended Dec. 28 and 30, although there was not a quorum on those days. His next appearance in the *Journals* is Jan. 4, 1779.

William Shippen, sr.

Elected: Nov. 20, 1778.

Did not attend in 1778.

James Smith.

Elected: (See vol. II.).

Attended: (See vol. II.); Jan. 1 to Apr. 21 (or later); May 5 (or earlier) to May 23 (or later); June 23 (or earlier) to June 27 (?); Aug. 11 to Sept. 9 (or later); Sept. 22 to Oct. 13 (or later); Nov. 16 (or earlier) to (?), 1778.

An entry in the *Journals* July 19 shows that Smith was then at York, Congress having in the meantime removed to Philadelphia.

Jonathan Bayard Smith.

Elected: (See vol. II.).

Attended: (See vol. II.); Jan. 1 to Feb. 4 (or later); Feb. 25 to Mar. 18 (or later); Apr. 7 (or earlier) to May 19 (or later); June 16 (or earlier) to June 27 (?); July 7 (?)-12 (or later), 1778.

The only indication of Smith's presence in Congress after the return to Philadelphia is a committee appointment July 12. His signature to the Articles of Confederation was doubtless appended at the general signing July 9.

RHODE ISLAND.

John Collins.

Elected: May 6, 1778 (for one year). Credentials dated May 8.

Attended: June 20-23 (or later); July 24 (or earlier) to July 29; Nov. 3 to Dec. 31, 1778.

Ellery and Marchant state in a postscript to their letter of June 27 (the day of adjournment to Philadelphia): "Mr. Collins has gone to Philadelphia" (no. 385). He does not again appear in the *Journals* until July 24, and he obtained leave of absence July 29.

William Ellery.

Elected: (See vol. II.); May 6, 1778.

Attended: (See vol. II.); Jan. 1 to July 10; Nov. 11 to Dec. 31, 1778.

Ellery obtained leave of absence July 9, but he may have attended July 10. In his diary of the journey homeward he recorded: "July 10th. Left Philadelphia at five O'clock P. M. in company with my worthy friend William Redwood" (*Pa. Mag. of Hist. and Biog.*, XI. 478).

Stephen Hopkins.

Elected: (See vol. II.); May 6, 1778.

Did not attend in 1778.

Henry Marchant.

Elected: May 6, 1778.

Attended: June 8 to Nov. 16, 1778.

Marchant obtained leave of absence Nov. 14, but voted on the 16th.

SOUTH CAROLINA.

William Henry Drayton.

Elected: Jan. 21, 1778 (see the note below).

Attended: Mar. 30 to May 5; May 23 (or earlier) to Dec. 31, 1778.

The credentials of the South Carolina delegates presented by Drayton Mar. 30 are not, as is usual, spread in full upon the *Journals*; accordingly they are given below, as found in the Library of Congress, Credentials of Delegates, South Carolina. They are endorsed by Secretary Thomson as read Mar. 29, which is doubtless an error, as the 29th fell on Sunday, and there was no session of Congress on that day.

"State of South Carolina. In the General Assembly, the 21st Day of January 1778.

"The Members of this House and of the Legislative Council proceeded to ballot jointly, for Five Delegates to represent this State in the Congress of the United States.

"And the Ballots being reckoned,

"Mr. Speaker reported, That upon casting up the Ballots it appeared that the Honourable Christopher Gadsden, Arthur Middleton, Henry Laurens, and William Henry Drayton, Chief Justice of this State, had the Votes of a Majority of the Members present: whereupon they were declared duly elected Four of the Representatives of this State in the Congress of the United States.

"General Gadsden and Mr. Middleton each offering Reasons for requesting Leave to decline the Appointment,

"Resolved, That the Consideration of this Request, and the filling up Vacancies in the Delegation to the Congress of the United States be postponed till To-morrow Morning.

"The 22d Day of January, 1778.

"The Members of this House and of the Legislative Council, jointly ballotted for Three Delegates to the Congress of the United States in the Room of General Gadsden and Mr. Middleton, whom the House were pleased to excuse (upon considering their Reasons) and of a Gentleman who had not the Votes of a Majority of the Members present.

"And the Ballots being reckoned,

"Mr. Speaker reported, That upon casting up the Ballots, it appeared, that the Honourable John Mathews and Thomas Heyward, junior, and they only, had the Votes of a Majority of the Members present; and they were accordingly declared duly elected. *The Members of the General Assembly and Legislative Council then ballotted for a Fifth Delegate, but none of the Gentlemen who had Votes having those of a Majority of the Members on the Floor.*

"The Members of this House and of the Legislative Council again jointly ballotted for a Fifth Delegate from this State to the Congress of the United States.

"And the Ballots being cast up,

"Mr. Speaker reported, That upon casting up the Ballots the Honourable Richard Hutson had the Votes of a Majority of the Members present, and therefore was declared duly elected.

"True Extracts from the Journals. Peter Timothy C. G. A."

Christopher Gadsden.

Elected: (See vol. I.) ; Jan. 21, 1778.

Attended: (See vol. I.) ; declined (see the note under Drayton).

Thomas Heyward, jr.

Elected: (See vol. II.) ; Jan. 22, 1778 (see the note under Drayton).

Attended: June 6 to Aug. 20, 1778.

Richard Hutson.

Elected: Jan. 22, 1778 (see the note under Drayton).

Attended: Apr. 13 to June 27 (?) ; Oct. 21 (or earlier) to Dec. 24, 1778.

Henry Laurens.

Elected: (See vol. II.) ; Jan. 21, 1778 (see the note under Drayton).

Attended: (See vol. II.) ; Jan. 1 to Dec. 31, 1778.

John Mathews.

Elected: Jan. 22, 1778 (see the note under Drayton).

Attended: Apr. 22 to Aug. 15 (or later) ; Aug. 31 (or earlier) to Nov. 13, 1778.

Mathews obtained leave of absence Nov. 12, but was present at a meeting of the board of war Nov. 13 (see the *Journals*, p. 1137).

Arthur Middleton.

Elected: (See vol. II.) ; Jan. 21, 1778.

Attended: (See vol. II.) ; declined (see the note under Drayton).

VIRGINIA.

Thomas Adams.

Elected: Dec. 9, 1777 (in the room of Joseph Jones, resigned) ; May 29, 1778 ("for one year from the eleventh day of August next").

Attended: Apr. 16 to Aug. 28, 1778.

Adams's earlier credentials are not mentioned in the *Journals*, neither are they found among the Virginia credentials in the Library of Congress. For the election see the *Virginia Journals of the House of Delegates*, Dec. 2, 9, 1777, and *Senate Journals*, Dec. 3, 9.

Adams did not vote May 19 and 23, and there is no other record of him after May 15 until June 11. His absence may not however have been so extensive. The *Journals* record "Mr. T. Adams" as having been appointed on a committee Dec. 17, but this was doubtless Samuel Adams, as there is no indication that Thomas Adams was in Congress at that time.

John Banister.

Elected: Nov. 19, 1777 (in the room of Mann Page, who had declined; see under Page) ; May 29, 1778.

Attended: Mar. 16 to Apr. 9 (or later) ; Apr. 16-29 (or later) ; May 23 to Aug. 15 ; Sept. 22-24, 1778.

What is said above concerning the earlier credentials of Thomas Adams applies also to Banister. For his election see the *Virginia House Journals*, Nov. 18, 19, 1777, and *Senate Journals* of the same dates. On the final ballot Banister received 51 votes against 50 for Thomas Adams.

Banister, together with Roger Sherman, was added Aug. 10 to the committee on arranging the army, and he was engaged from Aug. 15 to Sept. 22 with that committee at headquarters.

In December Banister resigned, and William Fleming was elected Dec. 14 for the unexpired term, but did not serve during the year 1778 (see the *Journals*, Apr. 28, 1779).

William Fleming.

Elected: Dec. 14, 1778 (in the room of John Banister, resigned).

Did not attend in 1778.

Cyrus Griffin.

Elected: May 29, 1778.

Attended: Aug. 19 to Oct. 21 (or later) ; Dec. 23 (or earlier) to Dec. 31, 1778.

John Harvie.

Elected: (See vol. II.) ; May 29, 1778.

Attended: (See vol. II.) ; Jan. 1-23 (?) ; Feb. 27 (or earlier) to March 18 (or later) ; July 13 to Oct. 19, 1778.

Harvie was appointed Jan. 12 on the committee to camp, and probably left for headquarters Jan. 23 (see nos. 44, 50, 62). The minutes of the committee (no. 104) mention his return Feb. 19, but he is not again recorded as voting until Feb. 27. His last vote is Mar. 18. According to the *Journals* he returned to Congress July 13; his account nevertheless gives his attendance as from June 1 to Oct. 25. The time from Oct. 19 (see no. 586, note 3) to Oct. 25 is doubtless an allowance for travel time. In December Harvie resigned, and Thomas Nelson was elected Dec. 10 for the unexpired term, but did not attend during the year 1778 (see the *Journals*, Feb. 18, 1779).

Francis Lightfoot Lee.

Elected: (See vol. II.) ; May 29, 1778.

Attended: (See vol. II.) ; Jan. 1 to June 2 (?) ; Nov. 9 to Dec. 31, 1778.

Lee obtained leave of absence May 30, but his account for attendance places the expiration of this period of service at June 2 (*cf.* no. 669), and gives the date of his return as Nov. 7 (*ibid.*).

Richard Henry Lee.

Elected: (See vol. II.) ; Jan. 23, 1778 ("from the 10th day of May to the 11th day of August next") ; May 29, 1778.

Attended: (See vol. II.) ; May 1 to Oct 31, 1778.

It was pointed out in vol. II. (p. lxxi) that Richard Henry Lee's election in June, 1777, was for the period from Aug. 11, 1777, to May 10, 1778. A new election was therefore necessary for the residue of the delegation year, and that election took place on Jan. 23, Lee receiving 59 votes and James Mercer 26. See the *Virginia Journals of the House of Delegates*, Jan. 20-23, 1778; also no. 43.

Lee obtained leave of absence Oct. 31 and does not appear to have attended thereafter, although he mentions (see nos. 601, 605, note 3) that he left Philadelphia Nov. 3. Mar. 18, 1780, he rendered an account for his attendance during the year 1778, which he places at 186 days, at 10 dollars per day, \$1860, or £556 (Va. State Lib., Lee Papers).

Thomas Nelson, jr.

Elected: Dec. 10, 1778 ("until the eleventh day of August next in the room of John Harvie, who hath resigned").

Attended: (See vol. II.) ; did not attend in 1778.

Mann Page.

Elected: (See vol. II.) ; Nov. 12, 1777 (in the room of Benjamin Harrison, resigned).

Attended: (See vol. II.) ; declined Nov. 15, 1777 (see under Banister).

Benjamin Harrison laid his resignation before the house of delegates Oct. 31. For Page's election and declination, see the *Virginia House Journals*, Nov. 10, 12, 14, 15; *Senate Journals*, Nov. 11-14. On the final ballot Page received 56 votes, John Banister 51.

Meriwether Smith.

Elected: May 29, 1778.

Attended: Sept. 28 to Dec. 31, 1778.

I. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
ROBERT MORRIS.¹

YORK TOWN 1st Jan'y 1778

Sir,

This Evening I received in Congress and immediately Reported your very affecting Narrative under the 26th Decem.

The Copies of Mr. Deane's Letters have not as you have been informed, been read in Congress. therefore I am directed by the House to request you will send them by the earliest opportunity ²

The Honorable Robert Morris Esquire ³

2. CHARLES THOMSON TO ROBERT MORRIS.¹

Jan'y 1. 1778

Dear Sir,

I am astonished Mr Brown could have so far mistaken me as to inform you that the letters from Mr Dean to you were read in Congress.² As the president was absent, the com^{ee} on foreign affairs delivered me a letter in the Evening directed to Mr. Hancock which I opened and found under the cover a letter to him and one to you unsealed. Next Morning I carried it to congress and consulted Mr Lovel and he concurring in opinion with me that the letter was of a private nature I sealed that for you without showing it to any person and sent it down to Mr Brown, who I was told was forwarding dispatches to you. I think on the same day in the evening before congress rose other dispatches were brought and among them a duplicate of that I had sent you; upon opening the packet I informed congress it contained a private letter to Mr Hancock and one to you. Some of the members however required that the letter to Mr H should be read which was done. The circumstance of yr letter being open was not attended and an objection was made to opening that for you, upon which I put it in my pocket and upon calling at Mr B[']s lodgings after Congress rose I found your servant was in town upon which I sealed

[1]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Library of Congress, President's Letter-Book, I. 97.

² Morris's letter to Laurens, Dec. 26, 1777, which relates principally to Thomas Morris, is found in Moore, *Materials for History*, first ser. (*Correspondence of Henry Laurens*), p. 71, and N. Y. Hist. Soc., *Collections: Deane Papers*, II. 243. A letter from Deane to the President of Congress, Sept. 27, enclosing a letter to Robert Morris dated Sept. 23, also two letters to Morris, dated Oct. 1, are *ibid.*, pp. 145-163. The history of Thomas Morris's connection with the business of Congress in Europe may be gleaned from the *Deane Papers*, *passim* (consult index, vol. V.). Deane's letter of Sept. 23 and Morris's letter of Dec. 26 are also found (in part) in Wharton, *Rev. Dipl. Corr.*, II. 393, 460, respectively. Cf. nos. 2, 3, *post*.

³ Robert Morris was then at Manheim, his country residence.

[2]¹ Library of Congress, Morris Papers.

² See no. 1, *ante*. Concerning John Brown see vol. II. of these *Letters*, no. 744, note 2, and no. 746.

the letter in the cover and desired Mr. Brown to inform you, as I had not time to write, that the letter directed to Mr H. only was read but that to you was not opened nor read But as some intimations were thrown out of T. M's ill conduct I desired Mr Brown to mention to you it was my opinion you should come to town. I believe the C. are perfectly satisfied with yr. conduct, but I could have wished you had known these circumstances before you wrote, that if there are any circumstances in letters you recd. as from your letter to C I think there must be which wd. give you pain to expose to public view, you might, if consistent with honor, have kept them back.

I am Sir Yr humble Servt ³

[Addressed:]

Robert Morris Esqr.
at Manheim.

3. JAMES LOVELL TO SAMUEL ADAMS.¹

YORK Janry 1st 1778

Dear Sir

. . . . Thos. Morris is dismissed by his brother's request, upon full conviction of his ill behaviour.²

Jan'y 3d. Hopkins has never made any application for tryal since he was furnished with the charges causing his suspension; and as we have no service for him, Oeconomy called for his dismissal which was the work of yesterday.³ How comes it that we have not to this day any account of the R Island sham Expedition?

Seven Delegates are chosen in our State; which intelligence reached York the 1st, your *modest*⁴ brethren having kept at their lodgings in the morning for want of it. . . .

³ The letter is not signed.

[3]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² See nos. 1, 2, *ante*.

³ Charges against Commodore Esek Hopkins were laid before Congress Mar. 25, 1777, and on Mar. 26 he was suspended. May 13 a motion to appoint a court of inquiry to examine the charges was postponed, and on May 14 a copy of the complaint against him was ordered delivered to William Ellery on his behalf. He was dismissed Jan. 2, 1778. Cf. nos. 4, 10, *post*. See also the *Journals*, July 30, 1778. The affair is treated at some length in Edward Field, *Esek Hopkins*, chs. V., VI. See also Paullin, *Navy of Am. Rev.*, p. 133. For an earlier case against Hopkins see these *Letters*, vol. I. (index).

⁴ Lovell underscores the word "modest" for the reason, no doubt, that he had just intimated (in a passage omitted here) a want of modesty in certain actions of Hancock. "I duely notice", he says, "your history of the different entry made into the capital by 3 Travelers, as I did also an account of a *Resignation* in Powars and Willis's Gazette of Decr. 4th. Risible faculties were given to man for wise purposes without doubt. I have let them have full exercise on this occasion, let who will be vexed or sorry with the correspondent of the Gazetteers mentioned!" The "history" alluded to is in a letter from Samuel Adams to Lovell Dec. 8, in *Writings* (ed. Cushing), III. 416. The letter is there printed as if to John Adams, which is of course an error (an error embodied, nevertheless, in vol. II. of these *Letters*, p. 537 n.), for John Adams had accompanied Samuel Adams to Boston, and it is their entry which is contrasted with that of Hancock some days earlier. The entry of Hancock into Boston is thus recorded in the *Independent Chronicle* (Powars and Willis's "Gazette"), Nov. 21, 1777:

"We have only time to inform the Public, that last Wednesday arrived here, under the escort of American light dragoons, his Excellency John Hancock, Esq; President of

4. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
NAVY BOARD.¹per F. Weir ²

The Honble.
William Vernon
James Warren
John Deshon Esquires

Navy Board
Boston.

YORK 2d Jan'y 1778

Gentlemen,

Inclosed you will receive an Act of Congress of the present date by which it is Resolved that Capt: Esec Hopkins be dismissed from the Service of these States.³

By order of the House I have transmitted a Copy of the Act to Capt Hopkins. you are desired Gentlemen to cause that Act to be published in the Boston and other Eastern News-papers and to give proper notice of the dismission to the Several Commanders of State Ships of War in your department.

5. NATHANIEL FOLSOM TO JOSIAH BARTLETT.¹

YORKTOWN Jeneuary 2d 1778

Dear Sir

yesterday I Recd. your Feavour of Decmber the 12th as to the Resolution of Congress, you first mentioned. So far as it Relates to Newhampshier or general Stark, it was Strenously opposed by your Delegates in Congress, and Six Days did not Pass before they were Convinced, of the good Effect of the orders of your Court given to general Stark and every mouth was Stopt, which gave your Delegates no Small triumph, to be told we ware true Prophets, and ever Since the State of Newhampsher has

the American Congress, and first Major-General of the Militia of this State; by his coming into town sooner than was expected, he avoided some public marks of respect which would otherwise have been paid him. His arrival was made known by the ringing of bells, the discharge of 13 cannon of Col. Craft's park of artillery on the common, the cannon from the fortress on Fort-hill, and the ships in the harbour. The Independent and Light Infantry Companies paid him their military salutes. He received the compliments of gentlemen of all orders, and recent indication was given of the sense the public has of his important services to the American cause."

Following is the record, in the issue of Dec. 4, of the arrival of the Adamses:

"Friday last arrived in Town from the Grand American Congress, the Honorable SAMUEL ADAMS, Esq.

"Same Day arrived at his seat in Braintree, from that august Body, the Honorable JOHN ADAMS, Esq."

The "account of a Resignation", to which Lovell alludes, is doubtless a communication by "An American", complaining that "Mr. Edes's paper of last Monday" (the *Boston Gazette*) contained a notice of the election of Henry Laurens to the presidency of Congress without any mention of the resignation of the late worthy President, the Honorable Mr. Hancock.

[4]¹ Library of Congress, President's Letter-Book, I. 99.

² Frederick Weir was an express of Congress. It was Laurens's custom to enter thus at the head of the transcript in the letter-book the name of the bearer of the letter.

³ See nos. 3, *ante*, and 10, *post*.

[5]¹ Dartmouth College Lib., Bartlett Corr., vol. I., 1774-1778.

been in grate Repute, on account of the Spirited Exertions of the officers and Soldiers in the northern Department²

as to the Promotion of Coll. Wilkinson, who at the Request of general gates Recd. a Brevet as a Brigadier general, which you Say has given you Pain I most Sincerly Simpothise with you, and Can Say it has given me Senceble Pain ever Since it was Done. I was glad he asked no more at that time, for assured I am that if he had it would have been granted. whilst they were Rejoicing for the goodness of God in Delivering our enemies into our hands: a Plan is laid by Sundrey members of Congress which I belive will be Carried to Remove him out of the way by appointing him Secretary to the Board of War or by Sending him to gorgia.³

you ask me how I Could be Induced to Disgrace all the field officers in the northern army to which I answer if when you Say you if you mean Congress I will not answer for them, haveing Constantly opposed the makeing allmost all the general officers that have been made Since I have been here, it appearing to me they were made more upon the Principle of Intrest or frindship, then Justice and equity, and the Consequences that have followed has Confirmed me in that opinion. grate uneasiness in the army has been the Sure and sertaine Consequence of the appointment of allmost Every general officer Since I have been here

if you meen me Personally Considerd, and think you Could Do better hope you will in twenty four hours after Reciveing this mount your horse and Come and Relieve me, and if you think you Cant Do So well would not have that Stop you as I have worne allmost all the flesh off my Bones being Exercised in my mind night and Day, and no time to Relax.

my Predecessors in Congress made some alterations in the Commisary generals Department in the midle of a Campaign which has given us an infinite Deal of trouble and the most fatel Consequences were not only to be feared but in Some measure have taken Place the army Several times were with out Bread for thirty six houers at a time. this together with the Quarter master general being Sick and his Department thrown into Confusion, and the inhabitants of this State in general being unfriendly to the Cause in which the United States are Ingaged, has given us more trouble and taken up more time then all the Rest of the Business done in Congress But the Schuyler Party having left Congress in Part and many of the old members gone home hope we Shall git Right again soone. Wood not have you think by any thing above Expressed I take the least Exception to anything you have Said as I love Plaine Dealing Best

² See the *Journals*, Aug. 19, 20, 22, Sept. 4, 1777; also the letter of the New Hampshire delegates Aug. 22, in vol. II., no. 609.

³ See the *Journals*, Nov. 6, 1777. Cf. nos. 29, 36, 64, *post*. While Wilkinson's promotion was in consequence of General Gates's recommendation, it was apparently influenced in no small measure by the fact that he brought to Congress the good news of the surrender of Burgoyne (see vol. II., p. 545, note 2). Such however was the opposition to his promotion (see, for instance, the letter from John Laurens to his father Nov. 26, 1777, in *Army Correspondence of John Laurens*, p. 83) that on Mar. 6 he relinquished his brevet of brigadier-general. As forecast by Folsom, in a committee report Jan. 5 he was proposed as secretary to the board of war (see the erased paragraph in the *Journals*, p. 21); Jan. 6 he was elected to the position but resigned Mar. 31 (see the resolution accepting his resignation). Wilkinson's account of the whole affair is in his *Memoirs*, I. 323 *et seq.*

Inclosed I Send you the Confederation and all the news I Can git which is Very little.

I am with Respect your frind and Hum^{le} Sert.

NATH^{EL} FOLSOM

To the Honbl. Josiah Bartlet.

P S be so good as to let majr. Phillbrock know I have Recd. his letter and will answer it as Soon as I Can on my Jor[ney from] Congress. I laid his Brothers Effairs before them and it wa[s] by them referred to the treasury Board and alltho I am one of them have not yet been able to git them to Report upon it to Congress, there being many applications Simmeler to it they turne me off by telling me there must be a Day Set apart for the takeing the whole of them up, is all I Can yet git from the Board, but I shall harass them while here on the Subject.⁴

Coll. Scammell is appointed Adjutant General⁵

6. JOHN WITHERSPOON, SPEECH ON THE CONVENTION WITH
GENERAL BURGOYNE.¹

[January 2, 1778?]²

Mr President,

I am sensible, as every other gentleman in this house seems to be, of the great importance of the present question. It is of much moment, as to private persons, so to every incorporated society, to preserve its faith and honour in solemn contracts: and it is especially so to us, as representing the United States of America, associated so lately, and just beginning to appear upon the public stage. I hope, therefore, we shall detest the thoughts of embracing any measure which shall but appear to be mean, captious, or insidious, whatever advantage may seem to arise from it. On the other hand, as the interest of this continent is committed to our care, it is our duty, and it will be expected of us, that we give the utmost attention that the public suffer no injury by deception, or abuse and insult, on the part of our enemies.

On the first of these principles, it is clearly my opinion, that we ought, agreeably to the spirit of the first resolution reported, to find, that the convention is not so broken, on the part of General Burgoyne, as to entitle us to refuse compliance with it on ours, and detain him and his army as prisoners of war. I admit that there is something very suspicious in the circumstance of the colours, when compared with his letter in the London

⁴ The petition of Joseph Philbrick, dated July 3, 1777, and referred to the board of treasury July 24, 1777, was for reimbursement for money lost in the burning of his house. The petition is accompanied by a number of affidavits, one of them from a brother, Samuel Philbrick. The latter is probably the Major Philbrick referred to. His examination was taken before Josiah Bartlett, "Justo. Pacis".

⁵ This line, which is found in the margin of the letter, was doubtless written Jan. 5, the date of Scammell's promotion.

[6]¹ *Works of John Witherspoon* (Edinburgh, 1815), IX. 108.

² At what stage of the discussion of the Saratoga Convention this speech of Witherspoon was delivered, whether in the committee of the whole during the last days of December, or during the consideration, Jan. 2-8, of the report offered by the committee of the whole, is not known. There was at all events discussion of the subject Jan. 2. See vol. II., nos. 779, 782, 786, 791, 793; also nos. 20, 21, *post*.

Gazette, which makes mention of the British colours being seen flying upon the fort. I agree, at the same time, that the pretence of the cartouch boxes not being mentioned in the convention is plainly an evasion. They ought, in fair construction, to be comprehended under more expressions of that capitulation than one—arms, ammunition, warlike stores. They were so understood at the capitulation of St. John's. In this present instance many of them were delivered up, which certainly ought to have been the case with all or none. And once more, I admit that the detention of the bayonets in the instances in which it was done, was undeniably unjust.

As to the first of these particulars, I am unwilling to distrust the honour of a gentleman solemnly given; and therefore as General Burgoyne has given his honour to General Gates, that the colours were left in Canada, I suppose it is substantially true, whatever small exception there might be to it. The colours seen flying at Tyconderoga, were perhaps old colours occasionally found there, or perhaps taken from some of the vessels lying at the place, and left there when the army proceeded farther up the country. This is the rather probable, that if the regiments in general had had colours, they must have been seen very frequently by our army in the battles, or upon the march.

As to the other circumstances, they are so mean and little in their nature, that I suppose them to have arisen from the indiscretion of individuals, quite unknown to the commander in chief, or even to the officers in general.

We ought also to consider that it was so unexpected, and must have been so humiliating a thing, for a whole British army to surrender their arms, and deliver themselves up prisoners to those of whom they had been accustomed to speak with such contempt and disdain—that it is not to be wondered at, if the common soldiers did some things out of spite and ill humour, not to be justified. To all these considerations, I will only add, that though the want of the colours deprives us of some ensigns of triumph which it would have been very grateful to the different states to have distributed among them, and to have preserved as monuments of our victory, the other things are so trifling and unessential, that it would probably be considered as taking an undue advantage, if we should retain the whole army here on that account. I would therefore, Sir, have it clearly asserted, that though we are not insensible of those irregularities, and they may contribute to make us attentive to what shall hereafter pass before the embarkation, we do not consider them as such breaches of the convention, as will authorize us in justice to declare it void.

On the other hand, Sir, it is our indispensable duty to use the greatest vigilance, and to act with the greatest firmness, in seeing that justice be done to the American States. Not only caution, but what I may call jealousy and suspicion, is neither unreasonable nor indecent in such a case. This will be justified by the knowledge of mankind. History affords us many examples of evasive and artful conduct in some of the greatest men and most respectable nations, when hard pressed by their necessities, or when a great advantage was in view. The behaviour of the Romans when their army was taken at the Caudine Forks may be produced as one.

The conduct of the Samnites was not overwise; but that of the Romans was dishonourable to the last degree, though there are civilians who defend it. Their consul, after his army had passed through the yoke, a symbol at that time of the utmost infamy, made a peace with the Samnites. The senate refused to ratify it; but kept up a shew of regard to the faith plighted, by delivering up the consul to the Samnites, to be used as they thought proper. That people answered, as was easily suggested by plain common sense, that it was no reparation at all to them to torment or put one man to death; but that if they disavowed the treaty, they ought to send back the army to the same spot of ground in which they had been surrounded. No such thing, however, was done. But the Romans, notwithstanding, immediately broke the league; and with the same army which had been let go, or a great part of it, brought the unhappy Samnites to destruction—Such instances may be brought from modern as well as ancient times. It is even the opinion of many persons of the best judgment, that the convention entered into by the late duke of Cumberland, was by no means strictly observed by the court of London.

When I consider this, Sir, I confess I look upon the expression in General Burgoyne's letter to General Gates, of November 14, as of the most alarming nature. For no other or better reason, even so much as pretended, than that his quarters were not so commodious as he expected, he declares *the public faith is broke, and we are the immediate sufferers*. In this he expressly declares and subscribes his opinion, that the convention is broken on our part; and in the last expression, we are the *immediate* sufferers, every person must perceive a menacing intimation of who shall be the sufferers when he shall have it in his power.

Being sufficiently settled as to the principle on which I shall found my opinion, it is unnecessary for me to give an account of the law of nature and nations, or to keep up citations from the numerous writers on that subject. But that what I shall say may have the greater force, I beg it may be observed, that the law of nature and nations is nothing else but the law of general reason, or those obligations of duty from reason and conscience, on one individual to another, antecedent to any particular law derived from the social compact, or even actual consent. On this account, it is called the law of nature; and because there are very rarely to be found any parties in such a free state with regard to each other, except independent nations, therefore it is also called the law of nations. One nation to another is just as man to man in a state of nature. Keeping this in view, a person of integrity will pass as sound a judgment on subjects of this kind, by consulting his own heart, as by turning over books and systems. The chief use of books and systems is, to apply the principle to particular cases and suppositions differently classed, and to point out the practice of nations in several minute and special particulars, which unless ascertained by practice, would be very uncertain and ambiguous.

But, Sir, I must beg your attention, and that of the house, to the nature of the case before us—at least as I think it ought to be stated. I am afraid that some members may be misled, by considering this declaration of General Burgoyne as an irregularity of the same species, if I may speak so, with the other indiscretions or even frauds, if you please to call them

so, of withholding the cartouch boxes, or hiding or stealing the bayonets. The question is not, whether this or the other thing done by the army is a breach of the convention. I have for my part given up all these particulars, and declared my willingness to ratify the convention, after I have heard them and believe them to be true. But we have here the declared opinion of one of the parties, that the public faith is broken by the other. Now, the simplest man in the world knows, that a mutual onerous contract is always conditional; and that if the condition fails on one side, whether from necessity or fraud, the other is free. Therefore we have reason to conclude, that if Mr Burgoyne is of opinion that the convention is broken on our part, he will not hold to it on his. He would act the part of a fool if he did. It is no consequence to say his opinion is ill-founded or unjust, as it manifestly is in the present case; for whether it is just or unjust, if it is *really* his opinion (and we should wrong his sincerity to doubt it) the consequences are the same with respect to us. Men do often, perhaps generally, adhere with greater obstinacy to opinions that are ill, than those that are well founded, and avenge imaginary or trifling injuries with greater violence than those that are real and great. Nay, we may draw an argument for our danger from the very injustice of his complaint. If he has conceived the convention to be broken on so frivolous a pretence as that his lodging is not quite commodious, after the just caution inserted by General Gates in the preliminary articles, what have we to expect from him as soon as he shall recover his liberty, and the power of doing mischief? It shews a disposition to find fault, and an impatience under his present confinement, the future effects of which we have the greatest reason to dread.

The more I consider this matter, Sir, the more it strikes me with its force. General Gates says upon the subject of accomodation, *granted as far as circumstances will admit*. Was not this proper and necessary? It was very natural to suppose that General Burgoyne, accustomed to the splendor of the British court, and possessed with ideas of his own importance, would be but ill pleased with the best accommodations that could be obtained for him, and his numerous followers, in one of the frugal states of New England. It was also in the neighbourhood of a place not in the least expecting the honour of such guests, which had been long the seat of war which had been exhausted by our army, and plundered by their's. One would have thought that the recollection of the ruin of Charlestown, the burning of which, if I mistake not, in a letter of his from Boston to England, he calls a glorious light, might have prevented his complaints, even though he had less elbow room than he wished for. But as circumstances stand, by what conduct shall we be able to satisfy him? When will pretences ever be wanting to one seeking to prove the convention broken, when it is his inclination or his interest to do so?

It has been said, Sir, that we ought not to take this declaration of his in so serious a manner: that it was written rashly, and in the heat of passion; and that he did not mean that we should dread such consequences from it. All this I believe to be strictly true. It probably fell from him in passion—and very unadvisedly. But is he the first person that has rashly betrayed his own mischievous designs? Or is this a reason for our not

availing ourselves of the happy discovery? His folly in this instance is our good fortune. He is a man, Sir, whom I never saw, though I have been more than once in England; but if I should say I did not know him, after having read his lofty and sonorous proclamation, and some other productions, I should say what was not true. He is evidently a man showy, vain, impetuous, and rash. It is reported of General Gates, from whom I never heard that any other words of boasting ostentation fell, that he said he knew Burgoyne, and that he could build a wall for him to run his head against. I do not by any means approve of boasting in general. I think a man should not boast of what he has done, much less of what he only means to do; yet I cannot help saying, that this was a most accurate prediction, which, with the event that followed it, plainly points out to us the character of General Burgoyne. Do you think that such a man would not take advantage of this pretended breach of the convention on our part; and endeavour to wipe off the reproach of his late ignominious surrender by some signal or desperate undertaking?³

³ Among the Witherspoon Papers in the Library of Congress is what purports to be the report of the committee on the Saratoga convention. It may be the report offered by the committee Dec. 26, 1777, which was referred to the committee of the whole and formed the basis of the report adopted by the committee of the whole Dec. 27, or it may be only a draft of a report which Witherspoon offered to the committee of five, of which he was chairman (see the *Journals*, Dec. 18, 1777). The document is here subjoined:

"The Committee to which were referred the Convention of Saratoga and the Letters of General Gates, General Heath and General Burgoyne upon that subject beg Leave to report the following State of Facts

That some of the Belts and car[t]ouch Boxes of the Soldiers were not delivered up with the Arms.

That the Word Accoutrements was not added to that of Arms in the Convention through oversight.

That the Case was the very Same at the Capitulation of St. Johns and yet the whole were delivered up as comprehended under the Word Arms.

That many of the Bayonets were withheld though in general delivered up.

That many of the Muskets were twisted or damaged and the whole are now returned unfit for use.

That in the Opinion of General Gates this last was in a good Measure occasioned by want of proper Covering for them and other Accidents.

That no standards or Colours were delivered up.

That General Burgoyne declared on his Honour that the Colours were left in Canada.

That there is mention made in the Account published in the London Gazette of the taking Possession of Ticonderoga of the british Colours being seen flying upon the fort.

That General Burgoyne in his Letter to General Gates of the 14 of Nov. says expressly that *the public Faith is broke* on Account of his not having so commodious quarters as he expected.

That General Gates in the Articles preliminary to the Convention did upon the Subject of Accommodation and other similar Circumstances take a Latitude from the Nature of the th[e]ory saying *as far as Circumstances will admit*.

That General Burgoyne has refused to give the Names and Description of his Soldiers and refers to General Carltons Dismission of our soldiers under Parole not to serve during the War.

That the Committee on Enquiry find that General Carlton made all our Prisoners sign their Names to a Paper containing Columns describing the Province, County and Town from which each of them came.

Resolved that the whole Soldiers under General Burgoyne shall before they embark be obliged to sign a Parole with a Description of their Place of Abode exactly in the same form as that required by General Carlton."

7. JOHN PENN TO JETHRO SUMNER.¹

YORK, Jan. 2, 1778.

Colo. Martin having been charged with want of courage soon after the Battle on the Brandywine, the Delegates for No Carolina, wrote to that Assembly requesting that they would recommend such of their officers, as they thought proper to be appointed General Officers, as they did not think it prudent to raise Colo. Martin. We have expected an answer for some time past, and think it would be wrong to do any thing on that head before we hear from the Genl. Assembly. I make no doubt of your being one; do be so obliging as to let me know as a Friend whether the adding Colo Clark would give any dissatisfaction to the officers as he is an old officer and said to be a man of merit.²

8. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO JONATHAN TRUMBULL, JR.¹

3d Jany 1778.

Sir,

I was last night honour'd with your favor of the 15 Decemr. and this Morning the Contents were taken under consideration in Congress by reference to the Board of Treasury, the result is, to return again the duplicate Warrant of the 16th Octobr. which you will find here inclosed and are desired to hold it in your custody until there shall be Cash in the Massachuset Loan Office for supplying the Amount, which the Treasury are assured will by partial payments be completed at no very distant period. in the mean time a like Sum of two hundred Thousand Dollars will be conveyed to you under direction of the Board of War in the most expeditious manner. upon this foundation you will probably be enabled to raise Money for Current demands and to avert those Evils which had justly alarm'd you.²

I recommended some steps in Philadelphia for securing a return of our Emissions of paper into the Treasury by quicker progress than we have experienced.³ time and circumstances have confirmed my sentiments, yet tis the judgement of a Majority to proceed in the old way and even to prefer new Emissions. in private I lament this determination as a pernicious error, but I ought modestly to suppose myself in error. . . .

9. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO JEAN DE KERMOVAN.¹

YORK 3d Jany 1778.

Sir,

The Letter which you sent to me in Congress this Evening I presented immediately to the House, where your former had been reported with the same attention

[7]¹ Henkels, *Catalogue*, no. 969, item 126 (extract).² See the *Journals*, Feb. 10, and no. 179, *post*.[8]¹ Library of Congress, President's Letter-Book, I. 107. Addressed to Trumbull at Lebanon.² See the *Journals*, Jan. 3.³ See Laurens to Gervais, Sept. 5-9, 1777, in vol. II., no. 627.[9]¹ Library of Congress, President's Letter-Book, I. 100.

Congress have directed me to inform you of their determination not to appoint you a Brigadier. however unwelcome this Resolution may be the early notification, will save you the trouble of further suspense. from that consideration I have transmitted it without delay.²

10. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF RHODE ISLAND (NICHOLAS COOKE).¹

3d Jany 1778.

Sir—

Since my last of the 23d Decem. I have had the honour of your favour of the 8th November which had been a very long time on its passage. it reached me no sooner than the 31st Decem., and although I presented it immediately to Congress, no order has been made upon it.² The house have been for many days past laboriously engaged not only in matters of the very highest importance within their proper sphere, but also obliged from some unaccountable deficiency in the several departments of Quarter Master General, Clothier General and Commissary General to interfere immediately and personally in the procuring of Wagons, Clothing, Meat and Flour for the Army, which otherwise from all appearance and from the Representation of the General, would have been dispersed. the deplorable state of the Hospitals has likewise demanded the same degree of attention. these burthens, which may truly be marked as extraordinary and unreasonable, fall heavy upon a very few Members from 17 to 21, who faithfully attend their duty at the expense of domestic happiness and the improvement of their private Estates.³ Your Excellency from a consideration of these circumstances will account for what might in a time of more regularity and tranquility be a neglect of your very Interesting and affecting Address, and I beg you will be assured Sir, I will embrace the earliest proper opening for bringing the State of Rhode Island into view again.

Inclosed Your Excellency will receive an Act of Congress, of the 31st Ultio. for promoting a speedy reformation in the Army which you will be pleased to lay before the Council. Also a Letter directed to Capt Esec Hopkins containing an Act of Congress dated yesterday, by which he is dismissed from the service of these States. I have sent the Letter under a flying seal for Your Excellency's perusal and that you may cause the Resolve to be made public, and particularly notified to all Continental Officers heretofore subject to Capt Hopkins's command. You will, after such measures are effected be pleased to close the Letter, and order it to be carefully delivered.⁴

² The *Journals* make no record of the action concerning Colonel Kermovan on Jan. 3; cf. no. 18, *post*. In regard to the former application referred to, see the *Journals*, Dec. 22, 1777. The letter-book shows that both this letter and that of Jan. 6 were addressed to Kermovan at York Town. In the first of these letters Laurens apparently spells the name "Kermowan", in the second "Kermorvan".

[10]¹ Library of Congress, President's Letter-Book, I. 102; *R. I. State Recs.*, VIII. 370.
² The Rhode Island letter is in Staples, *R. I. in Cont. Cong.*, p. 154. It was read in Congress Dec. 31.

³ This statement is made in nearly the same language in several other letters of this time. Cf. no. 13, *post*.

⁴ See nos. 3, 4, *ante*.

II. WILLIAM ELLERY TO THE GOVERNOR OF RHODE ISLAND
(NICHOLAS COOKE).¹

YORK-TOWN, PENNSYLVANIA,
Jany. 4th 1778.

Sir:

I very lately received a Letter from Mr Marchant in which he informed me that our State was at so great an expence, and so deeply in debt, that he was afraid we should be obliged to emit more money, or re-issue that which will be collected by taxation; unless a warrant could be procured from Congress upon the Loan-Office for a large Sum; and proposed to me to make an Application therefor. If the General Assembly should think proper to give me any directions on this head I will execute them with the greatest cheerfulness, and not without hopes of Success; provided Loan-Office Certificates can be negotiated, and will answer in Payment of our Debts. The demands upon the Treasury are at present so great and pressing, that all the *Money* now in it, and which may be collected by the Loan-Offices for some time to come will not I am afraid satisfy them; but if Loan-Office Certificates will answer our purpose it is my Opinion that Congress would grant Warrants for them to a considerable amount, rather than we should be obliged to emit or re-issue Money. In the Letter which may be wrote to me on this Subject they will doubtless place the necessity they are under to make an Application in a strong and striking Point of Light.²

The Comm^{ee} which was appointed to examin the Journals of Congress and report the Resolutions which have passed respecting the Defence of our State, and recommending an attack on Rhode-Island have not yet reported; but I cannot entertain any Doubt but that Congress will determin the Expence of the late inglorious expedition to be continental, when the Comm^{ee} shall have reported. Perhaps it would be best not to apply to Congress for a Warrant on the Loan-office till that matter shall be decided; as a great part of the Expence, for the defraying of which a warrant may be desired, may have accrued by that expedition.³ . . .

12. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
WILLIAM HEATH.¹

YORK TOWN 5 Jany 1778

Sir

I flatter my self with hopes that the very important Letter which I had the honour of writing to you the 27th Ult. by Messenger Mackloskey²

[11]¹ R. I. Arch., Letters to the Governors, 1777-1778, p. 131; Staples, *R. I. in Cont. Cong.*, p. 160.

² See Marchant's letter to Cooke July 5, 1777, in vol. II., no. 538; also no. 120, *post*.

³ There were two inquiries concerning the Rhode Island expedition, the first (Nov. 28) into its failure, and the second (Dec. 15) into its rise. See vol. II., nos. 764, 775, and nos. 33, 120, 160, 459, *post*. See also the *Journals*, Jan. 27, Mar. 27, Apr. 8, Aug. 7, Sept. 9.

[12]¹ Mass. Hist. Soc., Heath Papers, VIII. 27; Library of Congress, President's Letter-Book, I. 109. Addressed, "The Honorable Major General Heath, Commander in Chief of the Troops of the United States of America in the Eastern department, etc., etc., Boston".

² Patrick McClosky.

together with one inclosed in it calculated for Barring the departure of General Burgoyne will be put into your hand this day.

It may appear to Gentlemen who are not informed of the Circumstances of Congress, the intervening time has been sufficient for maturing their intended Declaration and Resolves upon that subject, but you Sir, will not wonder at the delay, when I tell you that from unaccountable deficiencies in the several departments, Congress have found it absolutely necessary for saving the Army from general dispersion to interfere personally in the businesses of Quarter Master general, Clothier General, Commissary general Director general of the Hospitals etc. these extraordinary and unreasonable burthens have fallen extremely heavy upon a few Members who faithfully devote their time to Public service. however the other great work although not completed has not been neglected. Congress have proceeded so far as the inclosed Copy of two Resolves intimate. these I transmit in confirmation of what I had the honour of writing as above mentioned and under the same injunctions of prudent and necessary secrecy. tis highly probable that in the Course of the present Week I shall be authorized to transmit the Act complete and Certified.³

13. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
GEORGE WASHINGTON.¹

Sir, 5 Jany 1778.

. . . . Eight or Nine days being elapsed since by possitive Order from Congress I directed Major Genl. Heath, to detain L. Genl. Burgoyne and his Troops, enjoining him at the same time to secrecy until it shall become absolutely necessary to disclose the Order, I intimated to Congress this morning the propriety of acquainting your Excellency for obvious reasons, with a measure of such importance and received directions to forward the two Resolves which will accompany the papers above mentioned. Congress mean to introduce these Resolutions by a suitable declaratory preface. the work has indeed been a long time on the Anvil I hope the whole will soon be perfected for the view of the World.² the burthen of business in Congress lies extremely heavy upon a few Members who now faithfully attend and these meet with greater difficulties from being driven out of their regular sphere and necessitated in many Instances to Act in person Commissary general Quarter Master general Clothier general Director general of Hospitals etc. etc. in order to save the Army from dispersion.³

14. HENRY LAURENS TO JONATHAN TRUMBULL.¹

Sir YORK TOWN 5th Jany 1778

I catch a few minutes between Adj't and meeting of Congress, to say a Word in reply to Your Excellencys favr. of the 2nd ulto. which I was unable to do by the Late messenger. . . .

³ The resolutions referred to are those of Jan. 2 and 3 relative to General Burgoyne. See vol. II., no. 791; also nos. 6, *ante*, 13, 20, 21, 30, 31, 42, *post*.

[13]¹ Library of Congress, President's Letter-Book, I. 112.

² See no. 12, note 3, *ante*. Washington's reply, dated Jan. 9, is in *Writings* (ed. Ford), VI. 282.

³ See nos. 10, *ante*, 14, 17, 19, 22, 31, 54, 56, 98, *post*.

[14]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 209; Conn. Hist. Soc., Papers of Jonathan Trumbull, jr. (extract).

I have been a good deal affected by the perusal of Colo. Jno. Trumbull's correspondence. the cause of his disappointment and mortification is no secret to me. I discovered it very early after I had the misfortune of arriving at the State House Philadelphia. altho' I do not mean to add to the affront which appears to me to have been calculated for that Gentleman, yet I cannot forbear wishing that had been the greatest Evil produced from the source I allude to. My Sentiments cannot be otherwise than in favour of Colonel Trumbull's determination, because, I declare it upon my honour, I would have acted the same part had I been reduced to similar circumstances. Men have a right to punctilio, when an honorable tenacity does not essentially injure their Country.²

I was almost a Stranger in Congress when the appointment of a Commissary general was on the tapis, and candidly confess I was much Misled by Specious Representations, not that I was without some jealousies—for before the debate upon that Subject was finally ended, I saw Party, and lamented the prospect,³ every day enlightened me, and I soon prognosticated Evils, which we are now labouring under and which must be conquered by Virtuous exertions, or we shall soon be exposed to the ridicule annexed to those who attempt to build without counting the Cost. ridicule will not be the whole penalty which will be laid on thousands of us. We are now good Sir, at this Instant on the brink of a precipice. If we have Wisdom, if we have Virtue, we will hasten to withdraw. I Pray God to aid us in the moment of danger.

Not only the Commissarial but other departments on which the Salvation of the Army equally depends, are somewhat more than deranged, they are shattered and distracted. Congress for sometime past, have been obliged personally to act, Commissary general, Qr. Master general, Clothier general, Director general of Hospitals etc. etc. Since you have invited me Sir, to conversation, from the respect I bear to your Character, I wish I could communicate my Sentiments more copiously; but present time will not permit. Therefore I must return.⁴

I have great reason to believe that Gentlemen in general now wish that the demands which were made by Colo. Joseph Trumbull as the condition of his holding his late Commission had been complied with, because we must now be convinced he had only public benefit in View. I have also reason to believe it will be necessary for us to resort to him again. Should this happen, that Gentleman's Patriotism will appear in Lustre, if he, passing over those exceptions which the pride of human nature will first dictate, will step in and contribute his Talents and abilities for saving his Country. in the mean time I am persuaded he will, as far as it may be in his power, assist and promote the business of supplying the Army, and put out of countenance every malignant insinuation of throwing Stumbling Blocks in the way.

² See vol. II., no. 776 and *passim* (index, Trumbull, John). Cf. no. 85, *post*.

³ Cf. Laurens's remarks in his letter to Gervais Sept. 5, 1777, in vol. II. (p. 477), and to Lafayette, no. 27, *post*. Concerning Joseph Trumbull and the commissary department, see vol. II., *passim* (index, Trumbull, Joseph).

⁴ Cf. nos. 13, *ante*, 22, 31, 98, *post*.

15. JONATHAN BAYARD SMITH TO TIMOTHY MATLACK.¹

YORK TOWN, Jan'y 5th, 1778.

D'r Sir,

The letter from his excellency the President, and the Speaker of the Assembly, was this morning read in Congress. As far as could be discovered, the expediency, and indeed necessity of something vig'rous and immediate were in the sentiments of the whole house. They referred the letter to a Committee, viz. myself, Dr. Witherspoon and Mr. Fulsom. The articles of arms and provisions will probably be a weight. Can meat be procured? We are informed this day that eno' for 6 weeks for the army cannot be had of flour, etc. I can have no doubt, Indeed I this day assured congress that all the difficulties arose from the mismanagement of the Commissaries only. It is probable a copy of the letter will be sent forward immediately to the General. Possibly the army may not now be in a situation to support the measure, as upon a late formal discussion on the subject, when a Committee from congress was at camp on the purpose, it was deemed impracticable, and many officers are away, and perhaps as great a proportion of the men. I think you may rely on Congress having it much at heart. I will be glad to know particularly from time to time what [response the] inclinations of the people make. I shall feel myself [happy in] having an opportunity of gaining to this state a reputation on this head, and shall not fail of availing myself of informations you may give.²

The Papers respecting waggons etc., are now with a Committee. Congress appear averse to raising the pay.³

16. FRANCIS LEWIS TO PIERRE VAN CORTLANDT.¹

Sir,

. . . . By a letter from his Excellency Governor Clinton read this day in Congress, I learn that he had convened the Assembly to meet on the same day. I hope they will advert to the appointment of one or more Delegates to represent them in Congress. Mr. G. Morris does not appear, and Mr. Duer is gone for a few days into the country, his ill state of health requiring a recess from business; so that our State is without a representation in Congress, which at this critical time is to be much regretted, as there is not a sufficient number of members to expedite the business hourly accumulating.

[15]¹ Pa. State Lib., P. P., XLV. 4; *Pa. Arch.*, first ser., VI. 160. Addressed, "To Timothy Matlack, Esq., Secy. to Honble Council of Pennsylvania, at Lancaster".

² See the *Journals*, Jan. 5, 9. The Pennsylvania letter, dated Jan. 2, is in *Pa. Arch.*, first ser., VI. 153.

³ See *Pa. Arch.*, first ser., VI. 116, and the *Journals*, Dec. 24, 1777.

[16]¹ *Jour. N. Y. Prov. Cong.*, I. 1116.

The Legislature of the State of Virginia has ratified the Articles of Confederation: Congress hopes the other States will speedily follow the example.²

With profound respect.

Pierre Van Cortlandt Esqr.³
YORKTOWN, 5th Jany. 1778.

17. FRANCIS LEWIS TO EVERT BANCKER.¹

The Express going off gives me but just time to acknowledge the receipt of your favor of the 17th Ult. with the enclosed papers, which I shall immediately lay before Congress, and urge the expediency of those measures therein proposed being carried into execution, and shall advise you with the result.²

Congress have been of late made sensible of many abuses crept into the Commissaries, and Quarter Master's departments, and which will be soon taken under consideration of Congress:³ I wrote the Honble President Vancortlandt this day, to which beg to reffer you, and am

Your obedient Humble Servant,

FRA. LEWIS

York Town 5th Jany. 1778
Evert Bancker, Esqr.⁴

18. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
JEAN DE KERMOVAN.¹

6th Jany 1777 [1778].

Sir,

At my return from Congress I found your Letter on my Table. it gives me concern to read such Complaints as you exhibit, but it is not my province to determine upon them, all that I can do, is, to offer your Letter again to Congress which you may be assured Sir I will do to morrow Morning.

² Governor Clinton laid the Articles of Confederation before the assembly Jan. 16 (*Clinton Papers*, II. 676), and the act of ratification, signed by him Feb. 16 (found in the *Journals* under June 27), was transmitted Feb. 25 to Philip Livingston, then supposed to be on the point of departure to take his seat in Congress, for delivery to that body (*Clinton Papers*, II. 807). See no. 161, *post*. Livingston was however delayed in his departure (he took his seat May 5) and was accordingly instructed to deliver the instrument to David Barclay, who was in turn to deliver it to the New York delegates (Clinton to delegates, Mar. 10, to Livingston, Mar. 11, *ibid.*, III. 16, 23). Barclay probably arrived in York Town Mar. 19. See nos. 160, 161, *post*.

³ Van Cortlandt was president of the New York senate.

[17]¹ John Carter Brown Lib.; *Jour. N. Y. Prov. Cong.*, I. 1117.

² The letter of Dec. 17 to the delegates is in *N. Y. Jour. Prov. Cong.*, I. 1102. It relates to abuses in the quartermaster's department, especially the leather department. A committee was appointed upon it Jan. 6 and discharged Jan. 17.

³ A committee on the commissariat department was appointed Jan. 14. Concerning the quartermaster's department, see the *Journals*, Jan. 30, 31, Feb. 5. Cf. nos. 1, 2, *ante*, 36, *post*. See also Washington's letters to the President of Congress Dec. 23, 1777, and Jan. 5, 1778 (*Writings*, ed. Ford, VI. 257, 280, ed. Sparks, V. 197, 208).

⁴ Evert Bancker was president *pro tempore* of the New York provincial congress.

[18]¹ Library of Congress, President's Letter-Book, I. 114.

[P. S.] 7th Inst. I presented Your Letter to Congress but no order was made upon it, which added to their determination² the 3d Inst. convinces me future applications will be equally troublesome and fruitless to yourself.³

19. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
EPHRAIM BLAINE.¹

6th Jany 1778.

Sir,

Immediately upon receiving your favour of the 4th Inst. this Morning, I presented it to Congress, and have in charge to signify to you, that the House being well satisfied with your past conduct and reposing the highest confidence in your Zeal and abilities to serve the public they are not disposed to receive your Resignation without calling upon you to reconsider the subject.

Congress therefore, after adding the assurance of their purpose to afford every proper support for enabling you to proceed in procuring ample supplies of provision for the Army and particularly an Assistant, have some ground to expect a chearful acquiescence on your part and that under these considerations your attachment to the great Cause in which we are engaged will animate you to persevere in the Duties of your Office improving times and circumstances, unfavorable as these are, to the best advantage.

Congress will expect your determination, which, speaking their sentiments, I hope will be a compliance with their desire, in this case it may be proper that you should name a person whom you could wish to be appointed as an Aid. I have no doubt but that the person you recommend will be the choice of Congress.²

20. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
WILLIAM HEATH.¹

YORK TOWN PENNSYLVANIA
January [8.] 1778.²

Sir,

Congress having taken under their most serious consideration the refusal of Lieutent. Genl. Burgoyne to return the names and such descrip-

² " * signified to you." [Note in the original.]

³ See no. 9, *ante*. Kermovan was dismissed Feb. 9. See the *Journals*, Jan. 26, 30, Feb. 9, 11, Mar. 2, 5.

[19]¹ Library of Congress, President's Letter-Book, I. 113. The letter is directed to "Ephraim Blaine, Esquire, Dep. Commy. General of Purchases, Middle Department, Lancaster. per Post".

² See the *Journals*, Jan. 6, 9, 14 (pp. 48, 50).

[20]¹ Mass. Hist. Soc., *Collections*, seventh ser., IV. 210; Library of Congress, President's Letter-Book, I. 83.

² This letter was written Dec. 27 and the date left blank to be filled in in accordance with subsequent action of Congress. See Laurens to Heath, Dec. 27, 1777, in vol. II., no. 791, also the *Journals* of that date and Jan. 8, 1778. Cf. nos. 6, 12, 13, *ante*, 21, 30, 31, 42, *post*. See also Washington to the President of Congress, Jan. 9, and to Heath Jan. 22 (*Writings*, ed. Ford, VI. 282, 292, ed. Sparks, V. 212, 221). A transcript of the report of the committee, with the resolutions adopted by Congress Jan. 8 relative to General Burgoyne, subscribed by President Laurens, and bearing the date Jan. 6, is in possession of Mr. James H. Manning of Albany. The resolutions were presented to Burgoyne Feb. 4 (see no. 42, note 2, *post*).

tive marks of the Non Commissioned Officers privates etc. included in the Convention of Saratoga as had been required by Congress, following in that Instance the example established by Sir Guy Carleton and himself, w[h]ich to you, Lieutt. Genl. Burgoyne was pleased first to misrepresent and then appeal to.

And also, a declaration made upon the most frivolous pretense by the said Lieutt. General to Major Genl. Gates in a Letter of the 14th November a Copy of which will accompany this, that "the public faith is broke" and that himself and his dependants were the "immediate sufferers," are justly alarmed by apprehensions, that the last mentioned in particular, is a measure projected for giving Colour to his receding from the articles of the Convention and which also strongly indicates a determination in his mind to absolve himself from his engagements.

I have therefore in charge from the Representatives of the thirteen United States of America in Congress Assembled, to direct and enjoin you to detain the said Lieutent. General Burgoyne his Officers Troops and other persons and to suspend their intended embarkation until you shall be further Instructed.

21. HENRY LAURENS, NOTES ON BURGOYNE'S LETTER TO GATES.¹

[January 8, 1778.]

General Gates transmitted a Copy of that Letter to the President of Congress, Henry Laurens, without one syllable of remark upon or reference to it. "The Public faith is broke" must have been understood in full force by Gen. Gates, who knew the subjects of Complaint on which that intimation was founded were trivial and feigned.

The accommodations were the best that could on a sudden be procured upon the first arrival of the Convention Troops at Cambridge. nothing contrary to agreement and better than Gen. Burgoyne and his Officers must frequently have submitted to between Canada and Cambridge, but our General perhaps a little captivated by the flattery of a British Lieutt.-General, while he felt it his duty to transmit the Letter was too polite to animadvert. as if he had said, "I'll leave this matter to Congress." It is certain he was too polite to make the Lieutt. General and his Troops Prisoners at discretion which might as easily have been effected as making a Convention.

From the moment I perused Gen. Burgoyne's Letter to the conclusion of the business I always made the following comment upon "the public faith is broke."

The British Commanders having frequently declared, there is no faith to be kept with Rebels and having as often acted in conformity, Sir H Clinton
Sir Wm. Howe have directed Burgoyne whenever his Troops shall be embarked to order the Transport Ships to go into New York or Delaware

[21]¹ L. I. Hist. Soc., Laurens Papers. These notes are endorsed by Laurens: "Conjectures on General Burgoyne's Letter of 14th Novem. 1777, to General Gates. Respecting the Convention Troops." The last paragraphs make it evident that the notes were written some time after Burgoyne's return to England.

as the Winds may permit. General Burgoyne a little staggered by such an Order and feeling for his own reputation, devised means for vindicating the intended breach on his part whenever his conduct should be called in question and the Letter to Gen. Gates was calculated for the purpose. encircled by flattery of Gates in particular and of the military at Boston in general, a kind of loose hint is thrown in "the public faith is broke." By whom and how? By the Government of Massachusetts or the Magistracy of Boston, because they have not in an Instant furnished the Convention Officers with more commodios² Lodgings than they were allowed when Sir Wm. Howe was in possession of Boston, or more commodios than probably some of them enjoyed at the very time for themselves and families—at the same time more commodios were in preparation and were very soon provided for the Officers and Troops.

"This Letter["], reasoned Gen. Burgoyne, ["will take up some days to reach Gen. Gates possibly he may overlook my hint, but should he forward it to Congress, that will be a work of more days, more will be required for their deliberations, and more again for sending their Resolutions to General Heath at Boston, in the whole at this season of the Year at least five Weeks, in the mean time the Transports will arrive and we shall be gone." (this would certainly have happened had not the Transports suffered delay by very tempestuos weather) "Should I go into New York or Delaware and be afterwards charged with breach of the Convention, I shall refer to my Letter written to the very General with whom I contracted, in which I complain, the Public faith was first broken by the United States and I shall obey my Orders and at the same time exempt myself from any imputation of dishonor.["]

That it was not intended to send the Troops across the Atlantic appears clearly from the inadequate quantity of Tonnage of the Transports which were sent to receive them as well as from the scantiness of Provisions and Water laid in, for a Voyage to Europe and from Gen. Burgoyne's refusal to give proper descriptions of his Officers Non-Commissioned Officers etc. see Report of a Committee, or of Gen. Heath or both. Besides Gen. Burgoyne had violated the Convention by the affair of the Cartouch Boxes, the Army Colours, the Military Chest, more particularly by rendring all the Muskets of his Army unfit for service. That Sir Henry Clinton and Sir Wm. Howe were equal to an Act so dishonorable as ordering the Convention Troops into New York, holding every thing fair play with Rebels, there can be no doubt when we reflect upon their former conduct and upon their subsequent stratagem in conjunction with their Brother Commissioners, for swindling Congress out of those Troops, pretending they were authorized to Ratify the Convention which authority when demanded they could not produce. See Letters to and from Congress on that point.

² Laurens frequently compressed the syllable *ous* in words of this character, usually but not always indicating the compression by means of a tilde (oftener a mere stroke of the pen). "Commodios" and "tempestuos" are not therefore to be regarded as misspellings. Similarly the word *Southern* often appears in his manuscripts as "Sothern".

No plausible reason ever appeared, none can be assigned, for the high Resentment of the British Court against Gen. Burgoyne but his having written that Letter. the intended business would have been accomplished but for his mar-plot delicacy.

the King would not see him he remained under a heavy Cloud during all Lord North's Administration. He was afterwards promoted. why? because he had been injured.

Had the Convention Troops reached New York or Philadelphia they would instantly have been employed against us, either in Garrison or in the Field, probably both. Congress might have clamored but their complaints would have been treated as former complaints had been, with contempt. And the World at large would have laughed at them.

When Gen. Burgoyne found the ill effect of his Letter, his temper sowered, he became crabbed and sought for occasions to pick quarrels with the American Military. the correspondence between him and Gen. Gates, no doubt there was a correspondence, after it had been determined to *suspend* the embarkation of the Troops, would be a curiosity. I know Gates maintained the rectitude of the suspension.³

22. HENRY LAURENS TO JOHN LAURENS.¹

8th Jan'y 1778

My Dear Son

The day before yesterday I sent you a few hasty lines by Messenger Gray. last Night pretty late in Congress your very affecting Letter of the 3d. was brought to me.² it accompanied a packet from your General dispatched the 2d. the Contents of this, as Duty required, I reported immediately;³ but your writing as discretion bids, I have concealed in my own breast. you speak in the warmth and affection of a Man under strong attachments, therefore I do not wonder at certain expressions which you would not have dropped to any but a friend in whose attachments you confide.

If my memory does not deceive me, I hinted some time ago my discovery of party in our Councils; the events which I dreaded and in many instances predicted, are now coming to maturity. Some of our friends in Charles Town to whom I communicated my sentiments freely, when they learn our present circumstances will look back to my Letters of August

³ See nos. 6, 10, 12, 13, *ante*, 22, 27, 30-33, 38, 42, 76, 77, *post*.

[22]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 212; Wallace, *Laurens*, p. 267 (extract).

² John Laurens's letter of Jan. 3 is in *Army Correspondence*, p. 101.

³ Washington's letter of Jan. 2 (*Writings*, ed. Ford, VI. 276, ed. Sparks, V. 207) was read in Congress Jan. 7. It was accompanied by copies of his letter to Conway Dec. 30 (*ibid.*, V. 203) and of Conway's to him of Dec. 29 and 31 (extracts, *ibid.*, pp. 203, 204). It was the letter of Dec. 31 that contained the sarcastic comparison between Washington and Frederick the Great. See note 13, below. In a letter to the board of war, Jan. 2, Washington also touched upon Conway's machinations (*Writings*, ed. Ford, VI. 277 n.).

and September.⁴ I lament the particular unhappiness which you write of, but I do not confine my view to so narrow a Circle; our whole frame is shattered; we are tottering, and without the immediate exertion of wisdom and fortitude we must fall flat down. among the Causes of this melancholy state are to be found some Men in whom your friend⁵ reposed an implicit confidence. I do not mean in the Army—did not I intimate to you some distress I was under in answering a Letter soon after I was called to the Presidency, because I could not flatter?—the Man I alluded to,⁶ against whom I have no prejudice, for we always in our short acquaintance eat and drank together in great cordiality, has contributed largely to the promotion of *party*. his fawning mild address and obsequiousness, procured him toleration from great Men on both sides, a sort of favoritism from some; his Idleness, duplicity and criminal partialities in a certain Circle laid the foundations of our present deplorable State. if your friend knew these things as well as I do, he would see as clearly as I do, how his honest heart has been deceived—but enough of this until we meet.

I am not quite sure of the fact, but I believe you have hit the pivot⁷ upon which the late mischiefs have turned. in order however to justify this Idea, we must include Characters of whome your friend entertains the most favorable sentiments. these taken together form a Club whose demands upon the Treasury and the War Office never go away ungratified. Candour obliges me to say that some of them respect your friend, and I am persuaded would not wittingly be concerned in a plot against him, but they “want the honour to defend”. in all such junctoes, there are prompters and Actors, accomodators, Candle snuffers, Shifters of scenes and Mutes.

I have been and am uniformly opposed to all of them. the motives of your friend are pure, he has nothing in view but the happiness of his Country. that pivot and the rest of them, one in particular⁸ who stands

⁴ See vol. II., nos. 586, 627.

⁵ Washington.

⁶ Such a passage has not been found in any of the letters to John Laurens in the autumn of 1777, but see John Laurens's letters of Nov. 26 and 29 (*Army Correspondence*, pp. 83, 88) acknowledging his father's letters of Nov. 23 and 27. While it is not quite certain to whom Laurens alludes, his remarks are suggestive of Mifflin. The two letters to Mifflin Nov. 8 (Letter-Book, I. 11, 14), notifying him of the action of Congress Nov. 7 and 8, lend credence to this view. In other words, it seems probable that the person here alluded to and the “pivot” mentioned in the next paragraph are one and the same. Of particular interest here is a letter from Dr. James Craik to Washington, Jan. 6, written from Port Tobacco, Maryland, relating what he had heard on the way from camp: “It was said, that some of the eastern and southern members were at the bottom of it, particularly one, who has been said to be your enemy before, but denied it, Richard Henry Lee; and that General Mifflin, in the new Board of War, was a very active person” (*Writings of Washington*, ed. Sparks, V. 493).

⁷ The allusion is evidently to General Mifflin, for John Laurens says in his letter of Jan. 3, to which this letter is a reply: “He [Conway] has weight it seems with a certain party, formed against the present commander in chief, at the head of which is Genl. Mifflin.”

⁸ The “one in particular” was probably Robert Morris, of whose integrity Laurens was beginning to entertain suspicions. See Laurens's Memorandum respecting Morris and the books of the secret committee, under Jan. 7, 1779, in vol. IV.; also Wallace, *Laurens*, p. 329 *et seq.*

high in the good graces of your friend, make patriotism the stalking horse to their private Interests and some of them as I am well informed have already mounted to vast paper money Estates—in sound, equal to any made by that group of Commissaries Contractors and Tools, who were celebrated by Foote⁹ at the end of the late War—this Game at the public expence, cannot be successful[ly] played without the knowledge and the Aid of a Circle. those among them who love money best, must sacrifice peace offerings to the passion of those of their Colleagues whose ambition is most impetuous, and some there are whose vanity and avarice must both be fed. all these, in course of time will be exposed to public view; at present they seem to triumph. God knows I feel no regret from private considerations, I never touched, I desire never to touch public Money, and I have no ambition to gratify. I feel for my Country—I feel for thirteen Infant States. I have delivered my sentiments very freely against Maladministration and pointed to that of the “one in particular” nor will I ever spare my honest opinion, when it shall be proper to deliver it. To break the combination, is a work not to be easily, nor suddenly performed, and you will perceive it is the more difficult from the texture which I have very fairly described.

I will attend to all their movements and have set my face against every wicked attempt however specious. but there is no other measure so likely to defeat the projects against your friend as a steady perseverance in Duty, of which he, if I may judge from his conduct, is truly sensible. His virtues are admitted and admired by *all* Men, and if there be such a Devil in the opposition as a rooted Enemy to him, yet even *his knowledge* of Mankind must dictate despair of degrading that worthy Man without the procuration of his own consent and Aid. these I trust he will never afford to him or them. in his would be involved the ruin of our Cause. on the other hand his magnanimity, his patience will save his Country and confound his Enemies. Comparison, I have often heard, of the mis-carriages and inactivity in the Southern, with the successes of the Northern department, but I have never been at a loss for argument to convince reasonable men, there was no ground for censure in one Case, and that in the other we had been *fortunate*—it would be endless to relate stuff of this Class. Men of Sense treat these things with contempt.

The affair of G. C.¹⁰ which has so deeply affected you must be a little troublesome to your friend, but it cannot long continue so, if the fact relative to the Letter be exactly as you have been informed. every Man of honor and sensibility throughout these States will feel himself wounded and will think and speak of the circumstance according to its demerit. While I lay Ill of the Gout the G.¹¹ explained that translation to me, but in

⁹ Samuel Foote (1720-1777). An account of him is in *Dict. Nat. Biog.* The reference is to *The Commissary*, a comedy produced by Foote at the Haymarket Theatre in 1765 (printed in London the same year).

¹⁰ General Conway.

¹¹ The General, i. e., Conway. Concerning the extract of Conway's letter to Gates referred to in this paragraph, see Washington to Conway Nov. 9, 1777 (*Writings*, ed. Sparks, V. 139), Mifflin to Gates Nov. 28, Gates to Conway Dec. 3, Gates to Mifflin Dec. 4, Gates to Washington Dec. 8, Gates to the President of Congress Dec. 11, Lafayette to Washington Dec. 30, Washington to Lafayette Dec. 31, 1777, Washington to Laurens

much softer language than your quotation speaks, indeed he denied there was such a sentence in his Letter and averred he had spoken of your friend in terms of respect. however there was *something* in the manner of his representation, which raised doubts in my mind, the correspondence even under the favor of his own narrative appeared to me to have been indiscreet and dangerous. I never wished for you more in my Life than I did upon that occasion. I have nobody here to whom I can with pleasure and safety unbosom myself. but dont mistake; I have not lowered my tone when I am called upon to speak of public Men and public measures. I have been twice called to account by a Stricken Deer and I suppose stand open at this instant to a third attack by Interrogatories. the Visitor who came next to my Bedside¹² introduced the subject which the G. had just dropped. I very candidly said according to the G's. explication there appeared no criminal intention, but there was something about it which did not look well. the G's late behaviour towards your friend is, in my judgement, through the whole, very reprehensible, but the taunts and sarcasm contained under the 31st Dec.¹³ are unbecoming his Character and unpardonable. Your friends Letter and the correspondence which accompanied it are committed to the B. W.¹⁴ the event will be known in two or three days, I hope there will be no appearance of disrespect by delay. the occurrence demands attention and determination.

I could not forbear remarking because it produced a striking evidence of party-affection and prejudice, to say nothing of Ill manners and breach of Order, when I had read the name of Bar. d'Arendt¹⁵ it was instantly followed in a loud voice, "as great a Rascal as any in the Army". pray Sir, tell me who is this Baron d'Arendt who is also stigmatized by the same tongue, as an Indolent worthless Creature.

Jan. 4, 1778, Gates to Washington Jan. 23, Conway to Washington Jan. 27, Washington to Gates Feb. 9, John Fitzgerald to Washington Feb. 16, Gates to Washington Feb. 19, Wilkinson to Washington Mar. 28 (*ibid.*, pp. 485-493, 500-507, 510-512, 516); also Washington to Fitzgerald Feb. 28 (Library of Congress, acquired in 1921). See also no. 61, *post*.

¹² The identity of this visitor has not been discovered.

¹³ In his letter to Conway Dec. 30, replying to one from Conway of Dec. 29, Washington had remarked that he had no other wish "but that good, attentive officers may be chosen, and no extraordinary promotion take place, but where the merit of the officer is so generally acknowledged, as to obviate every reasonable cause for dissatisfaction thereat". In his reply, Dec. 31, Conway made the sarcastic comparison between Washington and Frederick the Great to which Laurens alludes: "The general and universal merit, which you wish every promoted officer might be endowed with, is a rare gift. We see but few of merit so generally acknowledged. We know but the great Frederic in Europe, and the great Washington on this continent. I certainly never was so rash as to pretend to such a prodigious height." Laurens again alludes to this passage in his letter to John Laurens Feb. 3 (no. 72, *post*). Cf. note 3, above, and note 17, below. Washington's letter of Dec. 30 is in *Writings* (ed. Ford), VI, 268 (ed. Sparks), V, 150. Conway's letter of Dec. 31 is printed (in part) in *Writings* (ed. Ford), VI, 270 n. (ed. Sparks), V, 204 n.

¹⁴ The board of war. See the closing paragraph of this letter.

¹⁵ John Laurens replies to the question concerning Baron d'Arendt in a letter of Jan. 23 (*Army Correspondence*, p. 109; see also *ibid.*, p. 209). He had been appointed to the command of the German battalion Mar. 19, 1777. Washington had mentioned in his letter of Jan. 2 that the idea of the office of inspector-general had originated with Baron d'Arendt, who had been particularly considered as a proper person for the appointment.

G. W.¹⁶ must be willfully blind if he cannot discover such glaring defects in a Man's character as denominated him a first rate Rascal—I have no apprehensions that he is so—it is impossible that he should recommend such a Character to an important trust.

Your private opinion is that G. C. never meant to act in his late appointment.¹⁷ my private opinion was from the first, that he did not mean to cross the Atlantic until he had made further attempts on this side. our first conversation justified my conjecture. I was not satisfied of the propriety of his returning to the Army, but from the high opinion generally entertained of him, I wished he were sent to Georgia and to conduct an expedition a little further South. I proposed the subject for his consideration and he most heartily approved of it. what may follow the present appeal is uncertain. Mens mouths are shut, they wait to hear a Report. but you know me, and after what I have said you know it is not in my power to take any part but that which Conscience and honour have dictated. I have made my Report—here the subject must rest a few days.

I have heard nothing yet in favor of your friend Duplais.¹⁸ if it falls to my Lot to give him a Commission a Resolution of Congress shall be amended to it.

You must excuse this patch work, I began it yesterday morning, 'tis now 10. at Night the 9th. this finishing stroke is the 6th effort to complete the performance and I have not time to make a second impression. I'll go to Bed now, and add in the Morning any thing that may occur. . . .

10th. By Candle Light. . . . Upon a review of the former parts of this Letter I have determined how it ought to be disposed of after you shall have read it, you will undoubtedly be of the same opinion and act accordingly.

My dear Son—I pray God to bless and guide you and etc. I will thank you for as explicit an account as you can collect of all the prizes lately made in Delaware on both shores.

P. M. 10th. I am just returned from a large Company where I heard a discussion, I should say such a discussion on the necessity of appointing a Quarter Master General and the recommendation of your friend and his opinion treated with so much indecent freedom and Levity, as affected me exceedingly and convinced me that your suspicions of a baneful influence are not ill founded. it would give me too much pain to repeat the

¹⁶ General Washington.

¹⁷ Conway had been chosen inspector-general of the army Dec. 13, and then immediately promoted to the rank of major-general. Laurens here alludes to remarks in John Laurens's letter of Jan. 3. In a letter of Jan. 1 (*Army Correspondence*, p. 100) John Laurens had said: "The promotion of General Conway has given almost universal disgust." See Richard Henry Lee's letters to Washington Oct. 20 and Nov. 20, in vol II. of these *Letters*, nos. 700, 748. Washington's letter, dated Oct. 28, to which the latter is a reply, is in the *Century Magazine*, LXXXI. 663, with an introduction by Dr. Worthington C. Ford. See also, besides the references already given, Conway's letter to Charles Carroll of Carrollton Nov. 14 (read in Congress Nov. 24, in Rowland, *Charles Carroll of Carrollton*, I. 225), his letter to Washington Nov. 16 (*Writings*, ed. Sparks, V. 483), and Washington's letter to him Nov. 16 (*ibid.*, p. 150). Cf. nos. 49, 52, 57, *post*.

¹⁸ The Chevalier de Mauduit Duplessis. See John Laurens's letters of Jan. 1, 14 (*Army Correspondence*, pp. 101, 106), and Jan. 22 (*S. C. Hist. and Geneal. Mag.*, VI. 47). Duplessis was given a brevet of lieutenant-colonel Jan. 19, in accordance with a recommendation of Washington Jan. 13 (*Writings*, ed. Sparks, V. 214). See also nos. 46, 60, *post*.

Comparison drawn or rather the parallel between de Arendt and Hay.¹⁹ let us have a little more patience we shall discover if there is a system to over turn or rule—for aught I know, to throw into confusion and bring in the ancient Rule.

23. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF MARYLAND (THOMAS JOHNSON, JR.).¹

YORK TOWN 12th Jany 1778.

Sir,

. . . . Inclosed is an Act of Congress of this date calculated for securing a quantity of Salt lately arrived at Baltimore for Public use. as that article is and from all appearances will be most extremely wanted for the Army service, Congress are anxiously desirous of securing every Cargo that is or shall be imported. The term, "secure" in the Resolve, Your Excellency may be assured comprehends the Idea of purchasing if this shall be judged to be a mean preferable to an Act of power.²

24. THE PRESIDENT OF CONGRESS TO THE GOVERNOR OF NORTH CAROLINA.¹

YORK TOWN 12th January 1778.

Sir:

I had the honour of Your Excellency's Letter of the 27th December last Evening, brought to me by Mr. John Folger, who delivered me a Packet which he said contained dispatches from the Commissioners of these States at Paris, and in the same instant, intimated that the Packet had been opened by your Excellency and found to cover nothing more than a number of pieces of blank Paper. to my great grief and mortification I presently discovered the latter part of his information to be true, and accordingly Reported to Congress this Morning. The House was exceedingly chagrined by the disappointment and suspicions were so strong against the man, as to occasion an immediate examination into particulars which ended in an order to confine his person until some further inquiry shall be made into this mysterious circumstance.

Congress request Your Excellency will be pleased to transmit as early as possible all the information you can collect from the Master and Passengers of the Vessel in which Mr. Folger came from France, concerning dispatches which They may have seen, or heard from him were, in his possession. And also such as Your Excellency can give from your own knowledge.

Upon his Examination he declared—"within eight Miles of Newbern I met Govr. Caswell on the 26th December and two other Gentlemen

¹⁹ Presumably Lieut.-Col. Udny Hay, sometime assistant deputy quartermaster-general.

[23]¹ Md. Hist. Soc., Red Book, VII. 156; Library of Congress, President's Letter-Book, I. 119.

² See the *Journals*, Jan. 12; also nos. 25, 48, *post*.

[24]¹ N. C. Hist. Com., Caswell Papers; Library of Congress, President's Letter-Book, I. 117; *N. C. State Recs.*, XIII. 8.

one a Colo. Alcot, they questioned me so closely that after some time I told them I came from France in a french Vessel, the Captain of which was a stage behind on his way to see His Excellency. one of the Gentlemen told me that was His Excellency pointing to Govr. Caswell. We all lodged at the same House that Night. I showed Govr. Caswell the Letter I had from Mr. Deane. I desired the Governor's Passport which he gave me. I asked His Excellency, not knowing whether he might suspect me as Mr. Deane's letter was unsigned whether he had a mind to see my Papers, and took out the Main Packet directed ' *dispatches* ', and did not think of his breaking it open. we were in a private Room together the Governor broke it open. I informed him it never had been broke open before. after he had broke open the three Seals with which the wrapper was Sealed, he run over the directions on the Letters. he resealed the Packet marked ' *Dispatches* ' (A) putting² into it the same Letters. When the Governor saw the Blank Paper he said he was surprised and did not know the service of sending clean paper so far. I answered I was surprised and did not know I had clean Paper under my care. we both assisted in repacking the Letters and the next Morning the Governor gave me the Papers."

The line marked (A) and the next following contains information which implies that Letters were put into the Packet of clean Paper, but when that Packet came to my hand it certainly contained nothing but 35 pieces of blank french Paper. there was another Packet about the size of, or a little larger than, the first which contained foreign news Papers and Letters as Congress have been informed, but that was directed to Robt. Morris Esqr., and I sent it to his Clerk with eight other Letters and Packets which Folger had laid on my Table.

By the Main Packet he means this, and that, and intimates that Your Excellency opened both, but the Man's behaviour is such as induces most of the Members of Congress to believe him an Arch Knave affecting the Fool. my private opinion is that he is a very confused stupid Creature altogether unfit for the Charge which Mr Deane committed to him and that some Emissary of the British Court played him a trick before he left France by robbing him of the original Packet and palming this Counterfeit on him; if he is a Knave, he has pressed and prevailed on Your Excellency to look into the packet in order to gloss his Roguery. I will trouble you no further Sir with conjectures but conclude by subscribing with great Respect and Esteem,

Your Excellency's

Most Obedient and humble Servt.

HENRY LAURENS

President of Congress.³

His Excellency

Govr. Caswell North Carolina.

² The letter "A" is placed above the word "putting". Its purpose is explained by Laurens in the next paragraph.

³ Governor Caswell's reply to this letter is in *N. C. State Recs.*, XIII. 22. Concerning the Folger episode see the *Journals*, Jan. 12, Feb. 23, May 8, 28. A letter from the committee of foreign affairs to the commissioners in Paris Jan. 12, giving an account of the affair, is in Wharton, *Rev. Dipl. Corr.*, II. 468 (original in N. Y. Pub. Lib., Ford

25. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
SAMUEL AND ROBERT PURVIANCE.¹

YORK TOWN 12 Jan 1778.

Gentlemen,

I had the honour of receiving and reporting your Letter of the 10th, to congress this Morning it is referred to the Marine Committee from whence you will receive a proper reply I hope by return of the Post.

Congress having received information by divers means of the arrival of the Cargo of Salt intimated in your Letter above mentioned, framed the Inclosed Act of the present date for securing if possible the whole for the use of the Army for which it is wanted in the extremest degree. As some days may elapse before the Governor and Council can act, I am directed to transmit the Copy enclosed as above mentioned to you and to request you to exert your endeavors to prevent a Sale or removal of the Salt until His Excellency shall give directions in consequence of the present recommendation and Resolve. The term "secure" in the latter part of the Resolve, you may be assured comprehends the Idea of purchasing, and I have so explained it to the governor.²

To Samuel and Robert Purviance Esquires agents for the United States at Baltimore.

26. JAMES DUANE TO THE PRESIDENT OF CONGRESS (HENRY LAURENS).¹

On publick Service.

ALBANY 12th Janu'y 1778.

Sir

I entreat that you will do me the Favour to inform Congress that, as soon as the Commissioners for Indian Affairs² in this Department cou'd be convened, I attended them at this City. The Result of our Deliberations they dispatch by Express. The Entreaties and Liberality of our Enemies have made a deeper Impression on the Minds of many of the six nations than Congress apprehended. The Senecas and Cayugaes in particular can, I fear, no longer be regarded as Friends or even Neutrals; while the

Coll.), and a letter of Arthur Lee Apr. 14, relative to the transmission of the despatches, is *ibid.*, p. 550 (see also a statement of John Adams July 26, *ibid.*, p. 664). In a letter to Lovell June 3 Arthur Lee adds the remark: "Comparing and connecting all things together, it is my private judgment that this Mr. Chaumont was employed by the 243 a xvii [i. e., the ministry] to take the public despatches; and that he availed himself of the opportunity to take my letters for Mr. Deane and Dr. Bankroft, with whom he was in close connexion" (*Life of Lee*, II. 142). The letter of Jan. 12 from the committee of foreign affairs is also found in N. Y. Hist. Soc., *Collections: Deane Papers*, II. 314 *et seq.*, accompanied by the examination of Folger by the committee of Congress. An account by Silas Deane of the European end of the affair is *ibid.*, V. 345, and numerous other statements found in the *Deane Papers*, vols. II., III., and V., cast light on the affair. Cf. nos. 36, 240, 280, *post*.

[25]¹ Md. Hist. Soc., Portfolio VIII. (1); Library of Congress, President's Letter Book, I. 120; Purviance, *Baltimore in the Revolution*, p. 214.

² See no. 23, *ante*.

[26]¹ N. Y. Hist. Soc., Gates Papers, XII.

² Duane was instructed, in a resolution of Dec. 3, 1777, to co-operate with the commissioners of Indian affairs in the Northern department. Cf. vol. II., nos. 778, 789.

past Declarations of the Commissioners denouncing Vengeance against them for any Act of Perfidy or Hostility, which they might presume to commit, have engagd Congress, from a Regard to their own Dignity as well as the publick Interest, to proceed to more vigorous and decisive Measures than we had conceivd to be necessary

But all this is explaind so fully by the Commissioners; as well as our Joint Sentiments on the part which ought to be pursued at the approaching Treaty, that it is needless for me to be particular. These misguided nations must Feel the Power of the united States, since we have not the means of preserving their Fidelity by our Bounty, and they slight our Condescension.

The other important object of my Commiss'n is put in a proper Train.³ Secrecy with the Blessing of Heaven, will bring it to happy Conclusion. I can foresee no unsurmountable obstacle. The only Person who ought at present to be acquainted with it is clearly of the same Opinion. There being no money in the military Chest I have procurd 2000 Dollars, and it is advanced to the Gentleman to whom I allude.

I have the Honour to be, with all possible Respect Sir

Your most Obedient and very hum^e servant

JAS. DUANE

Hon^e President of Congress⁴

27. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

12th Jany 1778.

Sir,

I am grieved by reflecting upon the length of time I have been indebted for the several Letters which you have lately honoured me with under the 14th and 18th of the past, 2d and 5th of the present Month,² and more because it is not in my power even now to return such answers as these demand and as I wish to give. that condescension however which is apparent in your kind and indulgent expressions on this head, afford me encouragement and forbid a laboured apology either for past or present unavoidable remissness—I say present, because I confess I am urged to this address by the inclosed Letter which I received from France last Night and which I am anxious to forward without delay. perhaps if this circumstance had not happened I might from a desire of answering all your favours have deferred some days longer. now I shall confine myself to that of the 5th—I say I shall, in obedience to an hundred other calls which say I must.

³ The other commission was to concert with General Starke a plan for the destruction of the enemy's shipping on Lake Champlain. See the *Journals*, Dec. 3, 1777 (pp. 994, 999); also vol. II., nos. 777, 778, and no. 150, *post*.

⁴ This letter is endorsed, in the writing of Charles Thomson, "Letter from Jas. Duane Esqr. Albany Jany. 12. 1778. read 21. referred to board of war". See the *Journals*, Jan. 21.

[27]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 217. Addressed to Lafayette at Valley Forge.

² A series of letters from Lafayette to Laurens, 1777-1780, is found in *S. C. Hist. and Geneal. Mag.*, vols. VII. and VIII. The four letters here mentioned are doubtless those found in vol. VII., pp. 57, 63, 115, 120. The first is dated Dec. 14 and endorsed as received Dec. 18; the second, which is without date, is endorsed as received Jan. 5; the third is dated Jan. 2; while the fourth is undated, but endorsed as received Jan. 12. The one to which Laurens is chiefly responding is evidently the second.

Very early after my arrival at the State House Philadelphia I discovered the spirit of party triumphant.³ I lamented the prospect exhibited to my view and predicted certain evil consequences which have naturally followed. I was a stranger, a by stander, I was careful to take no decided part except that of Speaking and voting according to the dictates of conscience.

I will not boast of having been instrumental in promoting beneficial measures which from all appearance would otherwise have failed, nor of defeating attempts which if they had succeeded would greatly have injured our Cause. you would smile Sir to hear me say that America is a little indebted to me for her successes against the threatening flood of the invincible Burgoyne if I were to attempt to prove this, it would be with no other view but this of showing my steady opposition to party. you will conclude therefore that upon questions I have not been found always on one side.

I mean only to say, Yes Sir, I have long known there were divisions among those, whose duty required from them as honest Men, Strict Union. I have observed fuel to be so carefully supplied as never to fail of keeping up a spark of discord. hence I have often been induced to believe there were Agents from our Enemies if not within Doors, yet too closely connected with some who sat there.

You will however be pleased to observe Sir, or I should rather say, you very well know Sir, there is no subject more abstruse than this of party. it is said to be the Sinews of Liberty. I have neither Leisure nor abilities for going deeply into the enquiry, nor is it necessary. I will only say that party animosity between the Eastern States and the Inhabitants of New York is almost coexistent with the *Inhabitants*. these are grand divisions. each has its atmosphere. they are sometimes very troublesome in their disputes which are carried to such extremes as seem to threaten a dissolution of all friendships. nevertheless, danger from a common Enemy will reduce them to good order and as it were by a Charm, instantly establish a coalition. I have said so much on this subject in order to remove in some degree the strong apprehensions which you seem to be under from reports of prevailing parties in Congress. they make the Road rough but not impassible. so much upon party in general. concerning the particular influences which you speak of, I must acknowledge your conjectures are not ill founded. but I think the friends of our brave and virtuous General, may rest assured that he is out of the reach of his Enemies, if he has an Enemy, a fact of which I am in doubt of. I believe I hear most that is said and know the outlines of almost all that has been attempted, but the whole amounts to little more than tittle tattle, which would be too much honoured by repeating it.

All Men acknowledge General Washington's virtue, his personal Bravery, nor do I ever hear his Military abilities questioned but comparatively, with the fortunate event which you allude to. why cannot Genl. Washington grasp Genl. Howe abounding with every advantage of situation

³ Cf. Laurens to Gervais, vol. II., p. 477, and to Trumbull, no. 14, *ante*. See also Lafayette's remarks in the second of his letters mentioned in note 2, above.

and every necessary article for defence or attack, as Genl. Gates conquered Genl. Burgoyne, under every disadvantage of situation and reduced to the last extremity? answers are easily given to such silly remarks, when one is disposed to reply.

In a word Sir, be not alarmed I think it is not in the power of any junto to lessen our friend without his own consent. I trust his good sense and his knowledge of the World, will guard against so fatal an error. If you desire it sir Mr. John Laurens will communicate what I have written in confidence to him,⁴ I say in confidence not because I am afraid of having my sentiments known, I speak them honestly and unreservedly upon every proper occasion but I very much dislike correspondencies which may be misconstrued and charged with design to foment dissensions. it is my constant endeavor to reconcile and make peace.

I am not insensible that Genl. Washington has been in several Instances extremely Ill used by the neglect of those who ought to be his grand support and to prevent every cause of complaint on his part, but if I were with him half an hour and would persuade myself he wanted information, it would be very easy to convince him there has not any thing been *designedly* done or omitted to affront him—I speak of so large a majority as 9 in 10.

the General very well knows what we are, and will continue to make suitable allowances for all defects seeming or real. we are in a State of Infancy, yet thank God, we are not quite so foolish nor so wicked as our Parent. Men whisper and very harmless things too of Genl. Washington. loud bellowing scandal appears in every Newspaper upon the name of his Antagonist Sir William—but I will dwell no longer upon this matter.

A large Committee appointed by Congress of four of its own Members and three from the New Board of War⁵ will shortly be in Camp in order to concert measures with the Commander in Chief for the reformation of the Army. God grant every good purpose may be answered by their consultations. to these Gentlemen Sir you are particularly referred for an answer to your last favor without date relative to Monsr. du pin de Montauban,⁶ and also for the desired promotion of Monsr. Gemaut.⁷ the powers of this deputation are very ample I will not say unlimited.

the Clothing which you had been informed of, Colo. Lee assures me is little more than a collection of old wearing apparel of all shapes and sizes and that the whole is appropriated.

You will learn by the dispatches now sent to Genl. Washington, that Mr. Burgoyne is destined to pass the present Winter in Massachusetts Bay and the reasons which urged Congress to a determination which must undergo the Criticism of all the Politicians in the Civilized World. I shall be happy to have the approbation of those in our own Country.

⁴ The letter of Jan. 8, no. 22, *ante*.

⁵ Concerning this committee, see no. 62, note 2, *post*. Cf. nos. 28, 37, 40, 44, 46, *post*.

⁶ This was the Marquis de la Tour du Pin de Montauban. See no. 104, *post*. In the text of Lafayette's letter in *S. C. Hist. and Geneal. Mag.*, VII. 120, the name appears as "de La torèd du pin de montauban".

⁷ Lieutenant-Colonel Gimat was aide-de-camp to Lafayette. See the *Journals*, Feb. 2, 3.

If I had not honestly thought the measure justifiable as well as necessary I would not have been a strenuous advocate in favor of it. I think he will appear to have been the dupe of his own policy. the intimation which he gave to Gen Gates who was at Albany of a breach of Public faith was artfully enough insinuated calculated for a particular purpose but not intended for the view of Congress. If in this we have acted wisely, it will be set to our Credit in opposition to some of our supposed errors.⁸

28. JAMES LOVELL TO SAMUEL ADAMS.¹

Jan'y 13th 1777 [1778.]

Dear Sir

I prevented Congress sometime ago from inserting Massachusetts among those states to whom pressing recommendation has been sent to afford more members to transact the business which is great and various here at this period; but I find reason to repent my interposition, tho', otherwise, you would have been summoned back immediately upon getting out of your Saddle in Boston.²

When 5 were actually at York, 2 Delegates were a Representation; now only 3 are here, 3 are essential in Congress.³ This, at the worst season of the year, to 3 shabby constitutions is irksome; more especially as each is on 2 standing committees, and according to the usual fate of eastern members are seldom forgot upon perplexing transient calls. Mr. Dana goes to Camp, with three others of Congress, and 3⁴ of the new Board of War, upon the great Business of introducing Discipline and Oeconomy into the army.⁵ Poor Geary will get a double portion of Treasury-toil by this; ⁶ which, upon the back of a great deal of System-Patching lately, will go near to put him past the salutary power of Vegetables. . . . We have wanted 2 of our Colleagues lately, as *Mentors*; tho' we should not, even with them, have been quite unanimous. *Just* cause, ground or *reason to fear* that a contract made will be violated warrants a suspension of the agreement, till that fear is done away; but, that *just* cause must be something *consequent* to the Convention;⁷ and the degree of fear arising

⁸ See nos. 10, 12, 13, 21, 22, *ante*.[28]¹ N. Y. Pub. Lib., Samuel Adams Papers.² See the *Journals*, Dec. 9, 1777.

³ See the resolution of the Massachusetts legislature, Dec. 12, 1777, in the *Journals*, Jan. 7. Cf. nos. 44, 161, 164, 174, 203, *post*. In Austin, *Life of Gerry*, I. 274, is an extract of a letter from Gerry (to James Warren?), Jan. 14: "Mr. Dana has been ordered by Congress on a committee to camp. He will probably be absent a month. I am alone of our delegation, and the state will lose its vote. . . . I am worn down with fatigue, and have been waiting with some impatience to return to Massachusetts; but I have wished to see certain measures accomplished before I left Congress; when those were finished, others presented themselves equally important and I waited for them, and so on; but this mode of travelling will never get me home. I must therefore determine at all events to leave this place in the spring." Similar laments were voiced in letters of Apr. 24 and May 26 (*ibid.*, I. 275).

⁴ "Gates, Mifflin, and Pickering". [Marginal note by Lovell.]⁵ See no. 27, note 5, *ante*, and nos. 29, 31, *post*.⁶ Gerry and Dana were both on the board of treasury, the former since Feb. 17, 1776, the latter since Dec. 3, 1777.⁷ The allusion is to the convention of Saratoga and the action of Congress Dec. 27, 1777, and Jan. 8, 1778. See nos. 10, 12, 13, 20, 21, 27, *ante*.

from the same word or deed will operate variously according [to] the characters of persons and circumstances of things. It is not to be wondered at, therefore, if a great variety of Judgements should be formed in the world upon the late decision of Congress. Those who have been chiefly theoretic students will shake their heads and cry nay. These will be joined by some timorous christians, who are always doubting even when they say they have *sure* hope. On the other hand practical Politicians, joined by all such good Folk as, supposing themselves past the days of miraculous Exhibition, look upon natural vigorous exertions as somewhat connected with the essence of Hope, these, I suppose, will cry aloud aye. G— and I are in the latter Classes. Brother D— tho not fully with us was *honestly* and *judgematically* differing, as far as he did differ.⁸ I suspect the two Mentors⁹ if here would not have been *quite* in Unison.

But there has been another particular Case in which I think I should have had you both on my part, tho I have stood single against two worthy patriotic Brethren. You must have observed in some of my past Scrawls that there was an appearance of a wish or design to put our military officers upon the footing of european. “To put them on Half pay after the end of this War either for Life or 20 or 10 or 5 years, to secure Pensions to their Widows, and to make their Commissions vendible”.¹⁰ In my rage against Extortioners I have thrown out these things in the Course of my Correspondence, but not so much to frighten *them* into an amendment of manners, as to draw reproof to myself from *old veterans*, as Clark¹¹ calls one of my Friends, and from any others who have not forgotten that this *was* in its beginning a *patriotic* war.

Are we not in a young Country where a living is easily gotten by labour and where it is not a disgrace to work? so that Officers after the War may with ease and without shame maintain themselves upon land, which is to be given to them as well as to soldiers.

Are not our soldiers, many of them, married Men as well as their Commanders? In Europe they are single, or if married, they have Wives like themselves without any home. Let this equality in America be considered, and say whether the soldier's Widow shall not have a Pension, and the soldier surviving the War be put on Half-pay.

Are not Militia Officers almost as much in the Field as our Continental Gentlemen? Must we not enlarge the half pay Scheme or disgust the Militia? a Case of the Kind not happening in Europe. There, this mode of introducing into Society a set of haughty idle imperious Scandalizers of industrious Citizens and Farmers may be practiced. I have no reason to look for a Half pay majority in Congress; as there is really no argument for it but a fear of all our *best* officers leaving the army. . . .

I must go back to my first Subject as an apology for not writing the history of York Town at large.

⁸ G. and D. are Gerry and Dana.

⁹ Presumably the two Adamses.

¹⁰ See the *Journals*, Jan. 5, 9, 10; cf. vol. II., nos. 774, 782, and no. 67, *post*.

¹¹ Abraham Clark of New Jersey.

Fulsom, Dana, Reed, Harvey go to Camp Pen to the Hospitals.¹²
Therefore the 13 States have their Business managed by a *snug* set indeed.

N. Hampshire	1
Massachusetts	2 no vote
Rh. Island	1
Connecticut	1
N- York	2
N Jersey	2
Pensylvania	4
Delaware	—
Maryland	—
Virginia	1 no vote
North Carolina	1
Sth. Carolina	1
Georgia	2

18 Delegates—9 States¹³

.....

With frozen Fingers but much warmth of friendly attachment to you
at heart I am

Dear Sir
Your Servant
J L

29. ELBRIDGE GERRY TO GEORGE WASHINGTON.¹

YORK 13th of Jany 1778

Dear Sir

I have waited some time, in expectation of informing You with the Sense of Congress on the several Subjects mentioned in your agreeable Favour of the 25th Decr.; but am not yet fully able to answer my Purpose.²

The Resolutions for allowing hereafter to Officers, the Cost of their retained Rations, and for enabling your Excellency to increase the number of your Aids, I find by your letters to Congress are at Hand.³ And the proposals of allowing to Officers who shall continue in the Service to the End of the War, and whose Regiments shall then be reduced, half pay for a limited Time; of enabling Officers after the War to Sell their Commissions under proper Regulations; and of giving to the Widows of such Officers as shall hereafter loose their lives in the service, pensions while

¹² See the *Journals*, Jan. 6, 10, 12. Cf. nos. 40, 44, *post*.

¹³ Cf. no. 31, *post*.

[29]¹ Library of Congress, Letters to Washington, XXI. 88; *Letters to Washington* (ed. Sparks), II. 66.

² The letter to Gerry Dec. 25 has not been found. It would appear to have been similar in tone and substance to the letters to Congress Dec. 22 and 23, in *Writings* (ed. Ford), VI. 252, 257, (ed. Sparks), V. 192, 197. Gerry was a member of the recent committee of conference (see these *Letters*, vol. II., no. 774). The passage here omitted relates to the constitution of the committee of conference appointed Jan. 10 and 12. See no. 27, *ante*.

³ See the *Journals*, Dec. 30, 1777, and Jan. 3, 1778.

they remain in a State of Widowhood are now before Congress. The first has been largely debated, and I am apprehensive that it will meet with a negative; there are many weighty Arguments against it, Such as the Infant State of the Country, its Aversion to placemen and pensioners whereby G Britain is likely to lose her liberty, the Equality of the officers and soldiers of some States before the War, and the bad Effect that Such provision would have on the Minds of the latter; but I must confess that none of these weigh so much in my Mind, as the Necessity of making a Commission so valuable that a Dismission will not only be disgraceful to an Officer, but injurious to his Interest. This will introduce That Subordination to civil Authority which is Necessary to produce an internal Security to Liberty; and to the high Officers of the Military Department such authority as to enable them to establish discipline, without which an Army can be neither vigorous, nor Successful.⁴

Colo. Wilkinson is appointed Secretary to the Board of War, which, I hope, he will accept, that the just Causes of Complaint arising from his hasty promotion may be removed: should he refuse I think Congress will be justified in taking effectual Measures to remedy the evils resulting therefrom.⁵

General Heath is directed to procure and send to your Excellency one thousand bell tents, to prevent in future the Danger arising from heavy Rains at the critical Moment of an Engagement with the Enemy.⁶ Is it not necessary that Measures Should be taken by Congress or your Excellency for further providing against this Evil, by appropriating a Drummer, fifer, or some other Officer in each Company to carry a Bell tent for the Same, in Times of Action when the Baggage Waggons are ordered to leave the Army; that whether advancing or retreating, the Soldiers may never be in danger of having their Muskets and ammunition rendered useless from the Want of this Article?

30. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
WILLIAM HEATH.¹

14th Jany 1778.

Sir

. . . . You will likewise receive two Copies of an Act of Congress dated the 8th Inst., for suspending the embarkation of Lieutt. Gen. Burgoyne and his troops until the Convention of Saratoga shall be explicitly ratified by the Court of Great Britain and notified to Congress. One Copy of which you are directed by another Act, dated the 12th, which will accompany the abovementioned, to deliver to Lieutt. Gen. Burgoyne; by the same Act you are enjoined to order such transports if arrived, or when they shall arrive, to quit the port of Boston immediately.

Congress have directed Gen. Washington to renew his demand on Gen. Sir Wm. Howe for passports for vessels to transport provision and

⁴ Cf. no. 28, *ante*, no. 67, *post*.

⁵ See the *Journals*, Jan. 5, 6. Cf. no. 5, *ante*, and nos. 36, 64, *post*.

⁶ See the *Journals*, Jan. 5.

[30]¹ Mass. Hist. Soc., *Collections*, seventh ser., IV. 202; Mass. Hist. Soc., Heath Papers, VIII. 55, 73 (duplicate); Library of Congress, President's Letter-Book, I. 133.

fuel for General Burgoyne's army, but as good policy dictates that we should keep the Court of Great Britain from a knowledge founded upon authentic accounts of the Act of Congress of the 8th inst. as long as we can fairly do so, that demand will not be made until Congress shall be informed that you have delivered a copy of the Act to Gen. Burgoyne. The transporting provision under such expected passports, admitting such will be granted, may therefore be long delayed; from these considerations you will judge, Sir, of the expediency or necessity for applying to Gen. Burgoyne to order provision for the use of his troops from on board the British transport vessels, which probably from motives of oeconomy he will interpose—for it is not intended he shall ever depart until he shall have paid up all his accounts in terms of a Resolve of Congress lately transmitted you.²

P. S. . . .³

31. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF NEW YORK (GEORGE CLINTON).¹

YORK TOWN 14 Jan'y 1778

Sir

The last I troubled you with was under the 2d Inst. by Messenger Weir, since which I have been honoured by the receipt of Your Excellency's favour of the 20th Ulto. this I immediately Reported to Congress but have received no commands which authorize me to make a particular reply.² Business for some time past has not been dispatched in Congress with that degree of Celerity, nor, possibly in some Instances, accuracy, which the peculiar exigency of these Infant States demands, not owing to negligence and inattention of the few Members who now faithfully devote their time and drudge in the services of their Country but to a deficiency of numbers necessary for the discharge of the very important matters which every new day brings forth. There are at present no more than 21. Members on the floor of these 3. are ordered on a Committee to Gen Washington's Camp,³ and 1, to visit the Hospitals⁴ and of late from some unaccountable delinquencies, Congress in order to guard against a total dispersion of the Army have been obliged to Act personally by several of its Members, Quarter Master general, Clothier General, Commissary general and as Your Excellency will conclude from the intimation just now dropped Director of Hospitals and I might with strict propriety add two or three et caetera.⁵ I have taken the Liberty of being so

² See nos. 13, 20, *ante*, 38, 42, 52, *post*.

³ The postscript (Letter-Book, p. 137) is principally a request to Heath to render Baron Steuben financial and other assistance to come to Congress. See Heath's reply Feb. 7, in Mass. Hist. Soc., *Collections*, seventh ser., IV. 211; also Washington's *Writings* (ed. Sparks), V. 213, 526-530, and nos. 81, 103, *post*.

[31]¹ Harvard Univ. Lib., Sparks MSS., no. 49, vol. III., p. 3 (original); Library of Congress, President's Letter-Book, I. 128; *Letters to Washington* (ed. Sparks), II. 68 n.

² See the *Journals*, Jan. 5.

³ See the *Journals*, Jan. 10, 12, and nos. 28, 29, *ante*.

⁴ See the *Journals*, Jan. 6.

⁵ Cf. nos. 10, 13, 14, 22, *ante*, and no. 98, *post*.

full on this head in order to shew Your Excellency the necessity for hastening a more ample Representation from the State of New York as well as to apologize for any unavoidable delay on the part of Congress and I have been urged more particularly to do so from a hint which Mr. Lewis gave me this Evening of his intention to leave us in a few Days.

Under the present Cover Your Excellency will receive a very solemn and important Act of Congress of the 8th Inst: for suspending the embarkation of Lieutt.-General Burgoyne and his Troops until the Convention of Saratoga shall be distinctly and explicitly Ratified by the Court of Great Britain and properly Notified to Congress—a measure which Congress after long and dispassionate consideration judged to be equally justifiable and necessary and are therefore confident their Resolutions will be confirmed by the approbation of all their Constituents in these United States who are most immediately concerned, and that the Justice and good Policy of the Act will be acknowledged by every disinterested Court in Europe.⁶

32. HENRY LAURENS TO JOHN LAURENS.¹

YORK TOWN 14th Jany. 1778

My Dear Son

This will be delivered to you by Monsr. le Chevalier Lanuville a Gentleman who at a very great expence is come to offer his service in our Army. you will learn from himself in a very few words, his pretensions and expectations and in further conversation I believe you will find him to be a Man of great Military talents.

He anxiously wishes for a Yes or a No to his applications to Congress, this is his own Language—but as he has determined to go to Camp, where the Committee of conference to whom all power for the present is given, it was judged best to defer an answer until their return. if you can with propriety, introduce him to some of those Gentlemen. I know you will shew him every civility that circumstances will admit of.² tell me your thoughts on our determination to suspend the embarkation of Mr. Bur-

⁶ This paragraph, with occasional small changes of phraseology, is contained in letters to the several northern states under date of Jan. 14, and in letters to the southern states Jan. 17. They appear in the Letter-Book at pp. 127-133, and 139-142. A copy of the letter to President Weare of New Hampshire, taken from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia, is in possession of the Carnegie Institution of Washington. The original to President Wharton of Pennsylvania is in Haverford College, Roberts Coll., 723 (printed in *Pa. Arch.*, first ser., VI. 176). The letter to the speaker of the Massachusetts assembly is in Mass. Arch., CXCVIII. 396 (duplicate at p. 393). That to Governor Cooke of Rhode Island is in *R. I. State Recs.*, VIII. 371. The letter to Governor Johnson of Maryland is in Md. Hist. Soc., Red Book, VII. 159. [32]¹ S. C. Hist. Soc., John Laurens Papers; *S. C. Hist. and Geneal. Mag.*, VI. 11. Addressed: "Lieutt. Colonel John Laurens at Head Quarters Valley forge Camp. favoured by Monsr. Le Chevalr. Lanuville."

² See the *Journals*, Jan. 5, 27, Feb. 2, and no. 58, *post*. John Laurens has endorsed on this letter a memorandum relative to the two Laneuilles and letters of recommendation brought by them. See also his reply, Jan. 23, in *Army Correspondence*, p. 109. In the index to the *Journals* the Chevalier de Laneuville and his younger brother, Noirmont de Laneuville, are confused, many references appertaining to the former being assigned to the latter. Noirmont de Laneuville is, however, distinguished from his elder brother by the use in the journal record of his praenomen (he is sometimes mentioned as "Monsr. de Noirmont" only), whereas the chevalier is usually designated as "Monsr. Laneuville", or "Monsr. de la Neuville".

goyne. I am not answerable for nor do I claim the merit of, the manner in which the thing is ushered into the World. 'tis plain and simple not free from exceptions I know. all *that* was done while I sat in the Chair and is mere fringe and Lace from an infant manufactory. but for the thing itself, the propriety the justice and the sound policy I contended in the Comm^{ee} of the whole. so well was I persuaded of the rectitude of the Act, I declared I would rather lose my whole Estate, than hear a majority of dissenting Voices. the grand Resolve passed *Nem. Con.*³

This great determination will have its effect in Europe, in England more especially, whether good or Evil time will inform us. I feel strongly confirmed, that the Act is good and therefore entertain no alarming apprehensions.

I pray God protect you

HENRY LAURENS,

[P. S.]

33. WILLIAM ELLERY TO THE GOVERNOR OF RHODE ISLAND
(NICHOLAS COOKE).¹

YORK TOWN Jan. 14th 1778.

Sir,

Congress hath lately resolved for reasons specified in their Resolution, to suspend the Embarkation of Gen. Burgoyne and the Troops under his command; until the Convention of Saratoga shall be ratified by the Court of London and notified to Congress. This circumstance, the Arrival in Newport Harbour of a number of Men of War, some of them of the line, and my Fears of our not being able to sustain an Attack made by the Troops at Rhode-Island—joined by Marines and Seamen from those men of War have made me anxious for the Town of Providence particularly against which the Enemy would, in my opinion, bend their whole force if they should think there was any Probability of Success. Impressed with these anxious feelings I have represented the State of Rhode Island to Congress in such a manner as to procure a Resolution recommending it to the States of N. H., Mts. B., R. I., and C., to immediately furnish and constantly keep up in the State of Rhode Island, the Troops stipulated by the Comm^{ee} which met at Springfield last July.² The President will immediately transmit to you authentic Copies of the Resolutions hinted at, and also of other Resolutions enter'd into in Consequence of Genl. Spencer's Letter, whose Resignation Congress have accepted.

I am suspicious that the enemy will consider the suspension of the embarkation of General Burgoyne and his troops as an infraction of the convention, attempt to rescue those troops, and at the same time pour their resentment on our State. If these should be their Ideas it seems to me

³ See nos. 6, 12, 13, 21, 22, 27, 30, 31, *ante*.

[33]¹ R. I. Arch., Letters to the Governors, 1777-1778, p. 145; Staples, *R. I. in Cont. Cong.*, p. 162.

² See the *Journals*, Jan. 13. Cf. *ibid.*, June 25. The committee referred to as having met at Springfield was the convention of committees from New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York. See the *Journals*, Aug. 18, Sept. 10, Oct. 27, Nov. 22, 26, 27, 1777; also vol. II., no. 753, note 3.

that Providence will be their first object. Because when possessed of that town, they might communicate by Spies with Burgoyne, a Day might be fixed by them for the latter to burst with his Troops through the Guards, and at the same time the Enemy might advance from Providence to meet and receive them. If the Assembly should not think this chimerical they will without doubt be on their guard, and make the best preparation they can to repel any Attempt that may be made upon our State.

Apprehensions of an Attempt of this kind have induced Congress to recommend it to the State of Massachusetts-Bay to increase the number of the Guards upon Burgoyne's Troops, and to the New-England States to furnish and keep up their Quotas of Men in the State of Rhode-Island as before mentioned.³

The provision made for the future Payment of the Troops in that Quarter will prevent any demands on our Treasury in future. I hope that this Consideration, and the Question about the Payment of the Expense of the late inglorious Expedition not being yet decided,⁴ will induce our State to put off any Application they may have in contemplation to make to Congress as long as they can. . . .

34. ELBRIDGE GERRY TO TIMOTHY PICKERING.¹

YORK TOWN Jan'y 15, 1778

Dear Sir

. . . . The proposition in your Favour of Decr. 14th for obtaining a reimbursement of the Cost of provisions and other articles supplied to General Burgoyne and the other prisoners of the Convention of Saratoga before their Embarkation, were necessary in the opinion of Congress, who had previously issued their orders to General Heath for accomplishing this purpose.²

35. THE COMMERCIAL COMMITTEE TO SAMUEL AND ROBERT PURVIANCE.¹

Commercial Committee.

YORK January 15th 1778.

Gentn.

. . . . We don't doubt at all Gentn. but that you cant make it convenient to take bills on the Commissioners at Paris; but we have not heard that Congress had any thoughts of drawing on them. We hope you will be able to get the draft on the Loan Office paid a[nd] negotiate Certificates otherwise we don't know how we shall be able to pay the balance

³ See the *Journals*, Jan. 13; also Laurens to Cooke, Jan. 14, in *R. I. State Recs.*, VIII. 371.

⁴ See no. II, *ante*.

[34]¹ Mass. Hist. Soc., Pickering Papers, XVII. 72.

² See the *Journals*, Dec. 19, 1777, and vol. II., no. 786. Pickering was then adjutant-general, although recently chosen a member of the new board of war. See the *Journals*, Nov. 7, 21, 1777; Jan. 5, 12, 20, 1778. See also Pickering and Upham, *Life of Pickering*, I. 188 *et seq.* Pickering left the camp at Valley Forge for York Jan. 30 (*ibid.*, p. 203). His letter of Dec. 14 to Gerry has not been found.

[35]¹ Md. Hist. Soc., Portfolio, VIII. (1).

which it seems will be due to you. Indeed we shall be averse to making any applications to Congress for Monies for any of our Agents until they shall have furnished us with their Accounts, that we may show to Congress what ballances are due and urge the necessity of granting Warrants on the Treasury or Loan Offices for the Payment thereof. We hope that this will prove an effectual spur to you Gentn and compel you to do what we have long since requested and what we repeat, to wit, to transmit to us your accounts and vouchers immediately.²

We are Gentn Your obedt servt

FRANS LEWIS

WILLIAM ELLERY

JAMES FORBES

Messrs. S: and R: Purviance

36. ABRAHAM CLARK TO LORD STIRLING.¹

YORK TOWN Jan'y 15, 1778

My Lord,

Your favours of Decr. and Jan'y 3d but lately came to hand. The want of provisions in the Army gives me great concern, Complaints of this kind are frequent. This deficiency arises in part from a defect in the System, but much more from the indolence Ignorance disaffection or avarice of the Commissaries. Measures are frequently taken to remedy the Evils, but all hitherto have proved ineffectual, and will I believe continue to do so untill a reform is made in the department, which is now under Consideration of a Committee.²

On Sunday evening a person with dispatches from France Arrived in this Town, but upon opening the Packet to our great Surprize we found little more than blank papers; every Letter of importance had been taken out, and their places Supplied by Clean paper. some few Letters on Commerce remained but not one Containing any intelligence. how or where this villany was effected is hard to determine. The bearer recd. the dispatches at Nantz with a Letter of directions from our Commissioners, which Letter he produced. he says the packet was longer on its way from Paris than usual, and he Supposes the Letters were taken out before he recd. it, as measures of that kind had been practised before; he gives but a poor Acct. of his proceedings. Acknowledges he had opened several of the bundles to see if no instructions were inclosed for him. he is ordered to be Confined till the affair can be enquired into.³

Your Lordship mentions the want of *Military merriit* in a Gentleman lately promoted;⁴ I always before heard him mentioned as having great

² See Purviance, *Baltimore in the Revolution*, p. 216.

[36]¹ N. Y. Hist. Soc., Stirling Papers, IV.; Library of Congress, Force Trans., Stirling, I.; Harvard Univ. Lib., Sparks MSS., XXXIX. 112.

² See the *Journals*, Jan. 14, 26, and *passim* (index, Commissary general of purchases). Cf. nos. 12, 17, *ante*.

³ See no. 24, *ante*.

⁴ The allusion is to General Conway, who was made brigadier-general Dec. 14, 1777. See Washington to the President of Congress Jan. 2, and to Gates Jan. 4, in *Writings* (ed. Ford), VI. 276, 278. The letter of Jan. 2 is also in *Writings* (ed. Sparks), V. 207. In an appendix to the latter volume (pp. 483-518) is a series of letters pertaining to the Conway Cabal. See also the *Journals*, Jan. 7, 19, and cf. nos. 52, 64, *post*.

Military Abilities, and this was all I had ever heard concerning him. the kind of Correspondence he carried on with General G— was not known at the Time of his promotion. his Letters to General Washington is of late date. was the business now to be done Congress would probably Act otherwise; a dissention among the principle Officers of the Army must be very injurious to the Publick interest. I can't say what Congress will do; by the Letters sent them An Appeal seems to be made, which I trust will be carefully attended to. The Authority and Credit of the Commander in Chief must be supported.

Upon such a disagreeable Subject as Contained in Genl. Gates Letter to General Washington, I recd. some Consolation at finding the offence so highly complained of fall (as it must fall somewhere) upon a person for whom General Gates's unbounded friendship and earnest solicitation had procured a promotion very injurious and disgustful to the Army.⁵ I was not in Congress at that Time, but think the measure injudicious. To remedy this hasty step, Congress lately took Mr. W— from the Military line by appointing him Secretary to the board of War of which Mr. Gates is President; what will be done with him next I can't say. if he betrayed the Confidence of his Pattron he may do the same by his Country,⁶ and from the Opinion Mr. Gates seems to have of such a Character, I think he will not hereafter chuse to have him near his person. . . .

As the Reduction of the battalions is become necessary, a Committee of Congress with three of the board of War are going to the Army for that purpose. . . .

37. DANIEL ROBERDEAU TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, Jany 16th, 1778.

Sir,

A Committee of Congress, Coll. Reed, Mr. Harvey, Mr. Dana, and Genl. Fulsom, are ordered to consult with you and Council on the Expediency of an Expedition this winter against Philada.; and on your encouragement depends the undertaking, which is to be determined by the Committee in conjunction w'h G. Washington, and three members of the new board of war, Genl. Gates, Genl. Mifflin and Coll. Pickering.² The expediency or inexpediency, I believe, will chiefly depend on our State's supplying at least our own Militia that shall be called out, with provisions *at the Continental expence*, grounded on yr offer, and surely, every nerve will be exerted, for if we do not retake our Capital this winter, besides the horrid devastation the Enemy may make next Spring, in this State, when reinforced, when shall we be able to rout them out of Philadelphia? . . .

Baron Steuben, a Lt. General, and experienced Officer in the King of Prussia's Service, has offered his Services to Congress, which are ac-

⁵ James Wilkinson. See nos. 5, 29, *ante*, 64, *post*.

⁶ In view of Wilkinson's subsequent history, this utterance should entitle Abraham Clark to be enrolled among the prophets.

[37]¹ Pa. State Lib., P. P. XLV. 17; *Pa. Arch.*, first ser., VI. 183.

² See the letter of the Pennsylvania council Jan. 2 (*Pa. Arch.*, first ser., VI. 153), the *Journals*, Jan. 5, 9, 16, and no. 71, *post*. With regard to the committee, see nos. 27-29, *ante*.

cepted, and he required to repair to Genl. Washington's Hd Quarters.³ The Business of the Committee w[ith] the three Gentl'n of the board of war and Genl. W., are to reform the army by reducing the Regiments, and introducing discipline. The Baron may be very useful on the occasion.

P. S. The Council will naturally correspond with Coll. Reed on this occasion, who may have considerable wait in the Council at Head Quarters.

38. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
GEORGE WASHINGTON.¹

19th Jan'y 1778.

Sir,

Your Excellency will receive by the present conveyance a Letter which I had the honour of writing the 14th² and was returned to me with a Report that Susquehana was impassable.

Congress having upon further consideration judged it impolitic and unnecessary to inform the Court of Great Britain authentickly of the suspension of Genl. Burgoyne's embarkation until such information shall proceed from him, have directed me to desire your Excellency will delay the intended requisition for passports to General Howe for further determination.³

39. JONATHAN BAYARD SMITH TO TIMOTHY MATLACK.¹

YORK TOWN, Jan 19th, 1778.

Dr Sir,

Your letter to Mr. Thompson concerning the Journals of Congress was given to the Committee for conducting the publication of which I am.

The Committee wish them to remain at Lancaster till further orders, and are negotiateing with Mr. Dunlap for continueing them. If you see him I wish you would urge his coming to this place immediately.² . . .

Congress has [given] decisive orders in the case of our unhappy prisoners.³ We have a deputation from the friends in Virginia in behalf of their Society, which is referred to a Committee.⁴

³ See the *Journals*, Jan. 14.

[38]¹ Library of Congress, President's Letter-Book, I. 143.

² Laurens's letter to Washington of Jan. 14 was principally with regard to the suspension of the embarkation of General Burgoyne. See nos. 12, 13, 20, 21, 30, 32, *ante*, and nos. 42, 52, *post*.

³ See the *Journals*, Jan. 13, also Sept. 2-4, 11, Oct. 16.

[39]¹ *Pa. Arch.*, first ser., VI. 191. Addressed, "To Col. Timothy Matlack, Sec. to S. Ex. Council, Lancaster".

² J. B. Smith was placed on the committee for printing the *Journals* Jan. 16. May 2 the committee was "empowered and instructed" to employ John Dunlap to continue to print the *Journals*, instead of Robert Aitkin.

³ See the *Journals*, Jan. 21. The latter part of this letter was probably written as late as Jan. 22, for the next statement in the letter appears to refer to transactions of that day. See note 4, below.

⁴ The reference is probably to the petition of Isaac Zane and others, read in Congress Jan. 22. See, further, the *Journals*, Jan. 28, 29. A memorial dated Dec. 19, from the Friends who were prisoners in Winchester, Va., was presented to Congress Jan. 1, and also to the Pennsylvania council, by whom the matter was referred to Congress. The memorial is in *Pa. Arch.*, first ser., VI. 111, and the council's letter, dated Jan. 5, read in Congress Jan. 7, is *ibid.*, p. 158. See also *ibid.*, pp. 74, 75, 102, 106. For the earlier history of the affair, see vol. II., no. 619, note 3.

40. JAMES LOVELL TO SAMUEL ADAMS.¹

20th Janry [1778.]

Dear Sir

Yesterday I received yr. favour of Decr. 28th. . . . I would not have you think, however, that the Gentry you hint at are allowed to look after their *private* affairs to hide them from the public; a Committee is ordered to examine what papers are now at hand;² but it was expected that Mr. J— Adams and Coll. R. H. Lee would collect some materials, tho' absent. You cannot have been more surprized than *some* here have been chagrined at the notice taken of St. C—. You could not expect more smartness in a Resolve which was meant to rap a Demi G— over the Knuckles than what you found in the one hinted at.³ What a fatality attends some men in the choice of their favorites! It seems as if honest men are not to be found in the 13 United States sufficient to make Aids de Camp Secretaries and privy Councillors to one great Man whom no Citizen *shall* dare even to talk about, say the Gentlemen of the Blade.⁴

Genl. Gates is arrived here; I suspect he will not consent to go to camp on the Com'ttee mentioned.⁵ In short I begin to think our army will not be properly reformed, thro' the winter, which is half gone already.

Mr. Dana is gone on with Genl. Fulsom.⁶ I ought to have told you that both my Colleagues have altered their minds about Establishment of Half-pay. . . .

41. DANIEL ROBERDEAU TO JOHN ADAMS.¹

YORK TOWN Janry 21st 1778

Dear Sir

. . . . A *lex talionis* has this day unanimously passed Congress, so matured by the repeated barbarities of our Enemies that a very long report from the board of war on the subject had an uncommon quick passage

[40]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² See the *Journals*, Jan. 20. Adams's letter of Dec. 28 has not been found, but Lovell's allusion is to the resolve of Nov. 14, 1777, relative to Schuyler and St. Clair. Cf. vol. II., no. 756.

³ The "Resolve which was meant to rap a Demi G— over the knuckles" is probably that of Dec. 10, 1777. Lovell frequently gives vent in his letters to his hostility to Washington, particularly to the large powers which Congress had vested in the General. Cf. Samuel Adams's letter of Jan. 1 to Richard Henry Lee (*Writings*, ed. Cushing, IV. 1).

⁴ Lovell is evidently criticizing the resolve of Jan. 3 authorizing Washington to appoint aides-de-camp.

⁵ See the *Journals*, Jan. 20 (pp. 65, 66); cf. no. 27, note 5, *ante*, and no. 44, *post*. The question whether Gates would consent to serve with the committee of conference with Washington was raised in the morning of Jan. 20, apparently at the opening of the session. In the afternoon it was determined that he was to be excused. This letter was therefore evidently written before the afternoon session, and it may have been written before the matter was brought up in Congress at all.

The arrival of Gates at York is thus recorded by Rev. George Neisser, a Moravian minister: "January 19. This afternoon Gen Horatio Gates, who has been appointed President of the Council of War, arrived in town and was received with demonstrations of joy" (*Pa. Mag. of Hist. and Biog.*, XVI. 433).

⁶ See no. 28, *ante*.

[41]¹ Adams MSS., Boston.

thro the House, a fate you know unusual even on trivial occasions, but it would exceed the bounds of Letter to transcribe it and unnecessary as your State and most probably yourself will be furnished with a Copy by this Opportunity.² The treatment of Canadian Prisoners on parole on their return home, being constrained by cruel usage and whippings to enlist with the Brittish Troops, corroborates the reasons for suspending the Convention at Saratoga. But I forbear a work of supererogation for our communicative friend Lovel is writing at the same table. May the Lord bless and preserve you I am with real regard

Dear Sir

Yr. very affectionate friend and huml Servt.

DANIEL ROBERDEAU

P. S a Committee is this day appointed to prepare a Manifesto which will exhibit species of Cruelty in our Enemies, unheard of among Nations called civilized, except from the same Tyranical hand in the East Indies. "Vengeance is mine I will repay saith the Lord"

42. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
WILLIAM HEATH.¹

YORK TOWN 22d January 1778

Sir,

After I had closed my Letter which will accompany this, under yesterday's date, Messenger Jones brought in your favours of the 6th and 8th Inst., which together with the Correspondence with Gen. Burgoyne I presented to Congress this Morning. the House appeared to be pleased with your conduct in every respect relative to that Officer.²

I detained the bearer hereof one day in order to know the determination of Congress on your very alarming Calls for Money, and I have received direction to refer you to a Letter which I writ the 14 Inst. to Mr. Hancock, D. P. g. in the Eastern department advising of 350,000 dollars ordered to be transmitted to him by the Board of War from which Sum you may draw for present relief.³ I am indeed extremely sorry to find that Money is not yet gone forward, but it will go tomorrow, and you

² The reference is to the report of the board of war and consequent resolves relative to prisoners. Cf. nos. 44, 47, 56, 83, *post*. The manifesto contemplated in the resolve does not appear to have been prepared until the following autumn. See no. 596, *post*, and the *Journals*, Oct. 30.

[42]¹ Mass. Hist. Soc., Heath Papers, VIII. 76, Library of Congress, President's Letter-Book, I. 147.

² See the *Journals*, Jan. 22, and no. 30, *ante*. Laurens's letter to Heath of Jan. 21 (Letter-Book, I. 144; Heath Papers, VIII. 73) was principally to send a duplicate of his letter of Jan. 14 and of the act of Congress which accompanied it. Heath received Laurens's letters of Jan. 14, 21, and 22 on Feb. 3, and presented the resolve to Burgoyne the next day. See his letter to Laurens Feb. 7 (Mass. Hist. Soc., *Collections*, seventh ser., IV. 211); also his letter of Feb. 19 (*ibid.*, p. 215). His letters to Burgoyne Jan. 3 and 8 are *ibid.*, pp. 196, 200; Burgoyne to Heath Jan. 4, *ibid.*, p. 197. See also Burgoyne to Howe Jan. 18, Heath to Burgoyne Jan. 19, and Heath to Washington Jan. 18, 19, Feb. 19 (*ibid.*, pp. 204, 206, 207, 216); Washington to Heath Jan. 2, 9, Feb. 27 (*ibid.*, fifth ser., IV. 81, 82), Jan. 22 (*Writings*, ed. Ford, VI. 292, ed. Sparks, V. 221); Howe to Washington Feb. 5 (*ibid.*, p. 535), and Washington to Howe Feb. 10 (*ibid.*, p. 234).

³ The determination relative to money for Heath does not appear in the *Journals* Jan. 22; but see the orders on the treasury in behalf of Ebenezer Hancock, Jan. 14, 22. See also no. 106, *post*.

may expect a further considerable Sum will follow in a few days. at present the demand of the Pay Master general for arrears of the Army at Valley forge has gleaned the Treasury, but from loans and other means ⁴ it will speedily be replenished and you may depend upon me Sir to remind the Board of your pressing necessities.

43. JOSEPH JONES TO GEORGE WASHINGTON.¹

Dear Sir

On my return to Congress I found the Speakers Letter informing me my resignation was accepted by the House of Delegates and that I might as soon as I pleased return home which I did after staying abt a week to put the Business we had been sent upon to Camp in a proper train—the Issue of which I had then every reason to expect wo^d be according to the wishes of the Army but what the event has been I have not yet been informed—many reasons pressed me to retire from Congress and if I felt a concern it was only that in case I continued I might possibly be of some use in obstructing or endeavouring at least to prevent the mischevous consequences of those base Arts and machinations that are but too prevalent among some people, and which it is the Duty of every good Man to resent and suppress. I knew not so much of these matters before I went to Camp as I discovered there, and after my return; for it was on my return only, that I had the first information given me of the conduct and language of a certain popular pensylvanian lately appointed to the New Board of War—of the disposition and Temper of another Gentleman of that Board, whose Name the fortunate events of last fall have greatly exalted, I had before heard. But whatever may be the design of these Men, and however artfully conducted, I have no doubt but that in the end it will redound to their own disgrace.² You stand too high in the public opinion to be easily reached by their attempts and the same equal and disinterested Conduct, the same labour and attention, which you have manifested in the public Service from the first of the Contest, will shield and protect you from the shafts of Envy and malevolence. There may be instances, and these your good sense will point out to you, which require your Notice and the public welfare may be injured if passed over in silence, but in all other respects such petty Larceny attacks as these may be called deserve, as they will ever meet with, your Contempt. . . .³

Wmsburg 22d Janry 1778

⁴ The "other means" was an emission of \$2,000,000, ordered the same day.

[43]¹ Library of Congress, Letters to Washington, XXI. 170; *Letters of Joseph Jones* (ed. Ford), p. 5; *Writings of Washington* (ed. Sparks), V. 499 (extract).

² The allusions are to Mifflin and Gates, respectively. See nos. 22, 27, *ante*, 44, 46, *post*. A similar sentiment is expressed by Benjamin Harrison in a letter to Joseph Hewes, Mar. 3 (*N. C. State Recs.*, XIII. 61).

³ In a paragraph omitted here Jones says: "We are this day to choose a Deligate to Congress to serve from 10th of May to 11th Augt. as R. H. Lee was chosen only to that time, and as some thing [think] he ought not to be longer continued as he will then have served three years, it is uncertain wh. will be chosen. Mr. Mercer is the other Gentleman proposed."

P. S. The Letters you delivered the Com: were called for by Congress. being in my possession they were by order of Congress delivered.⁴ how the Members got information the Letters were in our custody I know not unless from Mr. G—y⁵ as he and myself were the only persons of the Com: in Town and I never ment'd. them to any person, but he as a Member of the Com: wanted them to be referred to in the Report and of course produced.

44. JAMES LOVELL TO SAMUEL ADAMS.¹

Janry 22d 1778.

Dear Sir

I fear that, upon the recommendation passed some time ago to the states to seize necessaries for the army,² our own state will exert itself while almost every other shirks. Jersey and Maryland acknowledge the receipt of the Recommendations, with many objections. In short it was a measure founded in very horrid descriptions of the miseries of the army and of the abominations of monopolizers and speculators. I think a supply may be gained by other means. I was ever afraid it would discourage trade too much. . . .

A report is to be made next monday respecting the Evacuation of Ty— etc.³ I cannot tell yet what materials it is to be made out of, but will set about it as soon as this Express is sent away. We shall have *full* 17 members o'monday, unlucky number!

Pray get a supplement to the 7th delegate⁴ and hurry *him* on, at least, if you cannot persuade two others to come with him. . . .

We yesterday determined upon the plan of Retaliation which is too lengthy for me to copy it will be printed immediately.⁵ I think I have told you that the Members of the new board of war who were to go to camp are found *necessary* here, which is the reason others have been chosen in their stead—Mr. Carryl and Govr. Morris—but I left out ostensible before reason. It is best as it will now be managed. The tale is too long or I would tell you the why and the wherefore⁶

⁴ See the *Journals*, Dec. 19, 1777, Jan. 16, 1778. Joseph Jones was a member of the committee appointed Nov. 28, 1777, to confer with Washington. The committee made its report Dec. 18.

⁵ Gerry.

[44]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² See the *Journals*, Dec. 20, 1777.

³ See the *Journals*, Jan. 20, 26, 27, Feb. 5.

⁴ Lovell was seventh in the list of delegates from Massachusetts. See the credentials in the *Journals*, Jan. 1. Cf. nos. 28, *ante*, 161, 164, 174, 203, *post*.

⁵ Cf. no. 41, *ante*, and nos. 47, 83, *post*.

⁶ See the erased resolve in the *Journals*, Jan. 20; also nos. 27, 40, *ante*, and nos. 46, 56, *post*. After receiving Washington's letter of Jan. 4 Gates would naturally wish to be excused from service on the committee at camp.

Richard Peters wrote to Robert Morris Jan. 21: "Congress have directed the new Board of War of which there are none here but General Gates and myself immediately to take up the Business. . . . You will be informed that Congress have thought it most prudent considering the State of Parties at Camp to keep General Mifflin and Gates here and send you and Mr. Carroll as Commissioners to the Army. [Peters here falls into an error; it was Gouverneur Morris who, with Charles Carroll of Carrollton, was added, Jan. 20, to the committee of conference with Washington. He continues:] It is a Custom among some of the Gentlemen there as I am told but I know not with what Truth, to make free with Persons in the Civil Departments and I am informed

45. HENRY LAURENS TO BARON DE KALB.¹

22d Jan'y 1778

Dear Sir,

. . . . I presented all the latter part of your Letter to Congress. your remarks and opinions on the State of the Army were received with Satisfaction.² most of the Evils complained of arise from measures adopted by the States, out of the province of Congress. nevertheless as the Legislatures are convinced of their errors in the former Militia arrangements tis probable they will attempt to pursue a wiser Course. Congress have interposed so far as to recommend an alteration, and I trust proper regard will be paid to their opinion.³

I am made of Consequence enough not to escape my share of Slander. This I did not know until the Day before yesterday when I was drawn into an unprovoked Dispute with Col. Morgan of Virginia which proceeding to the last Extremity convinced me that the Col. has little understanding and notwithstanding his Character as a Soldier by no means satisfied me of the Soundness of *his Spirit*. He told me I was spoken of at Camp as concerned in a Party against General Washington, and misconceiving some thing I said or designedly mistaking it, offered to turn out as Champion for the General's Character. On my denying that charge and agreeing to put our Dispute upon a *personal* Footing the Col. *declined* the Matter. I mention this Matter to you lest it should be misrepresented and I desire you as a Friend if you hear anything that I am said to be concerned in inimical to General Washington that you will please to inform me as I am conscious of being concerned in no Party Transaction of any Complexion and I am determined to keep myself clear of all these dirty Matters. As to the General, I love him to a Degree of Adoration. As from my Station I must necessarily have Intercourse with the Gentlemen of the Army, I cannot be of that Usefulness I otherwise may if I am masked out as an Enemy to the Army or its Commands. If any such Charge exists it is the most villianous of all Falsehoods." (Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia. The letter is printed, in part, in Henkels, *Catalogue*, no. 1183, item 197.)

In a letter to Morris Feb. 3 (*ibid.*, item 198) Peters says: "I am glad I made the Mistake as to your going to Camp, because it afforded me an Opportunity of telling you the Story which interested your Friendship, to set the affair in its true Light. I am much obliged to you for the kind Part you took in the Matter. . . . For my part I wish myself anywhere but in this disagreeable Scene. If the Jealousies which seem to exist and in which God knows I have no Hand, continue to rage much longer, I don't see how any Man of Feeling or Sentiment can continue in a public Department where every measure is looked upon with a jaundiced Eye and of course all Mistakes magnified into Sins political or moral. Unless great Alterations take Place the first and most capital of which is the Restoration of personal Harmony, I don't expect much from an arrangement of this Department in which I confess, leaving myself out of the Question, I promised great Advantages to the Cause."

[45]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 229.

² An extract of a letter from Kalb was read in Congress Jan. 1, but no letter from him at this time is recorded in the *Journals*. In the latter part of December Kalb made an extensive report to Comte de Broglie on conditions in the army, in which he criticized both Congress and Washington (Kapp, *Life of Kalb*, pp. 132-144). In a letter to Laurens Jan. 7, 1778, he appears to have modified considerably his views of Washington (*ibid.*, p. 144). In Henkels, *Catalogue*, no. 1290, item 63 (also in *Catalogue*, no. 1343, item 160), is an extract of a letter from Kalb to Laurens, written probably Jan. 26 or 27 (he is replying to Laurens's letter of Jan. 19, and the letter is endorsed, "Received Jan. 29, 1778"), in which he says: "I have only time to complain to you of a public report of which I got intelligence from york town, viz. that Several french off'rs were disgusted with the American Service, and that I was named as being one of them. I have reason to be surprised at Such an imputation. I have given charge to no body of telling any such stuff, especially to Congress. I want no Interpreter nor Guardian but am of age to tell myself every thing I have a mind to. People should mind their own business. Another News of a different kind and which I hear with Pleasure is that the Marquiss de la fayette is to command a Northern Army. I heartily rejoice at it." See Lafayette to Laurens Jan. 26, S. C. Hist. and Geneal. Mag., VII. 125.

³ Laurens probably alludes to the resolution of Dec. 31, 1777 (*Journals*, p. 1073).

46. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

Sir,

22d Jan'y 1778.

The 19th Inst. I was honoured by the Receipt of your favor of the 16th by the hands of a French Gentleman whose name you have omitted and I have not seen him since he brought me the Letter.²

The Committee appointed to confer with His Excellency the Commander in Chief in Camp, are now stripped of all their intended Military Coadjutors and will consist of Members of Congress.³ perhaps I ought to except Colonel Reed who is at the same time a Member of Congress and a Military Man. Genl. Gates, Genl. Mifflin and Colonel Pickering are called to attend the duties of their appointment at the Board of War. An application to that Committee will be as likely a measure for obtaining employment for the Young Gentleman as any I can think of, but it is much against him that he speaks not a word of English.⁴

P. M. Just returned from Congress, where a Report was made from the Board of War making out a seperate Command for Major Genl. Marquis delafayette. this will undergo debate this evening and probably you will very soon receive minute information from the Board of War or from the President of Congress. if the plan is Resolved upon the Young Gentleman in view will be provided for.⁵

47. HENRY LAURENS TO JOHN LAURENS.¹

My Dear Son,

YORK TOWN 22d Jan'y 1778.

Your friend and fellow Soldier DuPlessis leaves York Town with a heart full of happiness as yours and mine used to be when Mr. Staytaye had brought home the New Coat—he will tell you everything.²

[46]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 228.

² In S. C. Hist. and Geneal. Mag., VII. 122, 123, are two letters from Lafayette to Laurens, both bearing the date Jan. 15, of which the first is endorsed by Laurens "15th Jan'y 1778 Recd 20th", while the second is endorsed "16th Recd. 19 Jan'y 1778". The first relates to the unnamed French officer, a postscript mentioning that he is accompanying the Chevalier de Mauduit Duplessis to Congress (see no. 22, *ante*); the second relates chiefly to Duplessis. In a letter about Jan. 26 (S. C. Hist. Geneal. Mag., VII. 125) Lafayette again mentions the young French officer without naming him. This officer, hitherto unknown to him, had brought warm recommendations from friends of Lafayette, and had also brought a letter from Dr. Franklin to Richard Peters. In a letter to Franklin Mar. 5 Peters acknowledges several letters by the hands of foreigners, without naming them (Am. Phil. Soc., Franklin Papers, VIII. 151), and remarks that it is impossible to find places for them, because of their ignorance of the language. Among the Franklin Papers (IX. 31) is also a letter from one D'Alagnan, dated at Clermont-Ferrand, Apr. 11, 1778, inquiring after the Chevalier de Pontgibaut, who had left Nantes Oct. 11 with letters to Lafayette and General Conway. It is probable that Pontgibaut is the officer referred to. He is among those assigned to Lafayette as aides Feb. 2 (see the *Journals*).

³ See the *Journals*, Jan. 20, and nos. 27, 44, note 6, *ante*.

⁴ See the *Journals*, Mar. 13, 1777.

⁵ The reference is to the irruption into Canada. See the *Journals*, Jan. 22, 23, 28, Feb. 2, and also nos. 49, 52, 60, 61, 64, 77, 87, 98, 120, 126, 135, 137, 150, 151, 167, 168, *post*. See also sundry letters from Lafayette to Laurens, S. C. Hist. and Geneal. Mag., VII. 125, 179-189, VIII. 3-18, 57-60; Lafayette to Washington Feb. 19, 23, *Writings* (ed. Sparks), V. 531, 534; Duane to Clinton Feb. 19, *ibid.*, p. 533; and Washington to Lafayette Mar. 10, *ibid.*, p. 264.

[47]¹ S. C. Hist. Soc., John Laurens Papers; *ibid.*, Laurens Letter-Book, 1776-1778, p. 228; S. C. Hist. and Geneal. Mag., VI. 47.

² See the *Journals*, Jan. 19. Cf. nos. 22, 46, *ante*, and no. 60, *post*.

Congress last Night confirmed an Act consisting of much recital and many Resolutions, calculated for retaliating the Injuries and Insults offered by the Enemy to the Inhabitants of these States when made Prisoners. This when the Secretary's Clerks are pleased to Copy, will be transmitted and published in your Camp.³

48. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF MARYLAND (THOMAS JOHNSON, JR.).¹

YORK TOWN 24 Jan'y 1778

Sir.

. . . . I have likewise the honour of transmitting to Your Excellency the thanks of Congress, expressed in an Act of this date and here inclosed, for the Contents of Your Excellency's favour of the 19th which afforded the House great satisfaction. Your Excellency will perceive from the tenor of this Act that the Commissary general is directed to receive the 1350 bushels Salt, therein mentioned and to purchase as much more as shall be necessary. nothing further has been said concerning the Owners of the Salt Vessel or Cargo.²

49. HENRY LAURENS TO JOHN LAURENS.¹

YORK TOWN 25 January 1778.

My Dear Son,

Mr. DuPlessis who went from York I believe on Friday did me the honour to bear a Letter to you,² I did not tell you then that the Marquis delafayette is offered a Command upon an intended expedition into Canada, which will separate him from the General. there can be nothing else intended but honour to the Marquis and benefit to the Public. General Conway is voted second in Command and General Starke third.³

General Conway called on me and sat an hour, he introduced the unhappy dispute subsisting with the General, and assured me there were no such words in his Letter to Gen. Gates as those quoted by the General—this he had learned from G. Gates he had not kept a Copy of his Letter—pray can you explain this Mystery. but you know tis not my wish or desire to pry improperly into the affairs of other Men. this indeed may be called a public affair and I am afraid will become very public, but as one party has appealed to me and the friends of the other delivered their sentiments, I have some Claim upon each to inform me truly.⁴

³ Cf. nos. 41, 44, *ante*, and no. 83, *post*.

[48]¹ Md. Hist. Soc., Red Book, VII. 163.

² See the *Journals*, Jan. 12, 22, 24; also nos. 23, 25, *ante*. Johnson's letter of Jan. 19 is in *Arch. of Md.*, XVI. 469.

[49]¹ S. C. Hist. Soc., John Laurens Papers; *ibid.*, Laurens Letter-Book, 1776-1778, p. 232; S. C. Hist. and Geneal. Mag., VI. 48.

² The letter of Jan. 22 (no. 47, *ante*).

³ See the *Journals*, Jan. 22, 23; also no. 46, note 5, *ante*.

⁴ See nos. 21, 22, 36, 43, *ante*, 52, 61, 63, *post*; also John Laurens's reply, Jan. 28, in *Army Correspondence*, p. 112.

50. DANIEL ROBERDEAU TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, Jan'y 26th, 1778.

Sir,

The Dellegates of this State are honored with your Letter in Council,² with its inclosures respecting the extraordinary interference of Mr. Harvey and Mr. Morris in the affairs of the Brittish Convoy and the Innholder at Lancaster which were laid before Congress this afternoon, and deferred for consideration 'till tomorrow, when I doubt not your spirited Conduct will be highly approved and the treatment you met with impunged [*sic*]. The subject was introduced under the idea of the Trojan Horse travelling thro' our land not filled with men, but most probably with the more dangerous Enemy, Counterfeited continental money, which may be part of the contents of the Bails in the Waggons, agreeable to the Specimen obtained of the Waggoners, whose imprisonment was applauded by every member who spoke on the subject, as the searching every person of the Escort and of all the packages would have been; but most of all the bringing every traitorous Conspirator against the Liberties of these States by so diabolical a scheme, would redound to the honor of our State, and would be seasonable Victims, *in terrorem*, to our much injured Country. You will have opportunity of special inquiry into any further hidden machination, as the Board of War have stopped the progress of the Waggoners, and I hope it will be improved, and that you will not hold the sword of justice in vain. Congress has no right to interfere in our civil policy, nor will it be presumed; however, their result on the Subject of the papers above mentioned, will be communicated as soon as I have it in my power. The copy of the Letter forwarded to Genl. Washington, found on the Serjeant, would have been very satisfactory; pray, favor me with it without delay, with a particular account of the Escort, and the ostensible rank they bear, for I very much suspect fictitious Characters. I also request to know something more particular of the conduct of the Capt. and Lieut. bearers of the indecent paper delivered to the Secretary of Council, and whether they are not Continental Officers. The astonishing Conduct of the two members of Congress who were to have consulted with the State on the Subject of Supplies, is a presage of the unfortunate issue of that measure,

[50]¹ Pa. State Lib., P. P. XLV. 34; *Pa. Arch.*, first ser., VI. 206.

² The letter of President Wharton here referred to has not been found, but the principal facts in the matter of the British convoy may be gathered from Washington's letter to the board of war Jan. 26, and that to General Gates Jan. 27. The letter of Col. William Stephens Smith to Washington Jan. 25, referred to in the first of these letters, and Washington's reply Jan. 27, are in the Washington Papers. Other aspects of the affair appear from nos. 54, 63, *post*. Cf. *Pa. Arch.*, first ser., VI. 200, 201, 209, 214-217, 221-226, 233, 268. Some account of the episode is given in Marshall's *Life of Washington* (Philadelphia, 1804), III. 430. Exactly one year from the date of Roberdeau's letter Joseph Reed, then president of Pennsylvania, laid before Congress a complaint in a matter pertaining to General Arnold (see the *Journals*, Jan. 26, 1779) which led to the prosecution of a series of complaints against Congress on the ground of the interference of that body or of some of its members in the affairs of Pennsylvania, and included in that bill of particulars was the part which Morris and Harvie, members of the committee sent to headquarters, took in the affair at Lancaster, Jan. 24, to which Roberdeau refers. What that part was is explained by Morris in his letter to Reed Apr. 9, 1779, in the next volume of these *Letters*.

concerning which you are intirely silent. I could weep over my suffering Country, cramped at this season for vigorous exertion, by the want of provisions, with which our Country abounds, and I wish I could clear our own State of the horrid sin of the Commissarial Department, from which, at the very time of that most mischievous arrangement, carried, I believe, but by one voice, I predicted the injuries we have and still suffer; for God's sake, for our Country's sake, never let a Dellegate represent the State from any consideration, one moment longer than he is faithful, or one moment after he is a Subject of just suspicion. You would pardon me if you knew my sufferings and indignation on account of this and other less destructive measures, tho' very hurtful to the common cause, which a very feeble voice could not prevent. I pray you to cast about for some Characters 2, 3 or more, expert, faithful and active in the way of purchasing, that you can recommend to me³—will Robt Towers do as one? I know he was indefatigable in another line of Duty. I pray you also to point out some elligible mode of procuring large quantities of biscuit, and proper persons for that branch, that I may be furnished with proper Characters to recommend to Congress; Ludwick, I fear, is incompetent. The use of flour instead of hard bread has been, I believe, the death of thousands. I beg to be favored with hearing from you soon, and

am, Sir,

Yr most obt hum^l Servt,

DANL ROBERDEAU.

The Commissary General, warmly recommended by our State, has just found out that he is incompetent to the business.⁴

51. GOUVERNEUR MORRIS TO THE PRESIDENT OF CONGRESS
(HENRY LAURENS).¹

CAMP 26th Jany. 1777 [1778.]

Sir

I have taken Occasion to speak to the Marquis de la Fayette upon the Appointment you know of. The Sentiments of his Heart which are fully expressed in a Letter to you do him so much Honor that any Expressions of mine would be impertinent. I am deeply surprized at the mature Judgment and solid Understanding of this *young* Man for such he certainly is. The impropriety of having the first and second in Command from a foreign Country is strongly stated by him and his Apprehension that it would be disagreeable to the Subjects of America are certainly not ill founded for great Liberality in vulgar Minds is not common even in America. It deserves the Consideration of Congress whether in Case an Accident should happen to the Commander in Chief it would be prudent to trust a Person whose object it is to push his Fortunes in France with an opportunity to imbue the Minds of the Canadians with a Love of the Grand Monarque who may as probably like Canada as any of his Prede-

³ See no. 54, *post*.

⁴ The reference is presumably to William Buchanan, commissary-general of purchases, whose department was at this time undergoing reorganization. See the index to the *Journals*, Commissary-general of purchases. See also nos. 54, 62, 82, 84, *post*.

[51]¹ Library of Congress, Papers Cont. Cong., no. 78, vol. XV., f. 295.

cessors. This Consideration has not the *less* Weight from being mentioned by the Marquis.² His having pitched upon McDougall who you may remember I wished to have with him may have prepossessed me in Favor of what some Gentlemen may call his Prejudices and this Prepossession is as you may well suppose not weakened by his Declaration that he would willingly act under him as second in Command if deemed necessary for the Service. . . .

52. HENRY LAURENS TO ISAAC MOTTE.¹

26th Jany 1778

Dear Sir,

. . . this exertion My Dear Sir has likewise put it in my power to attempt to serve Mr. Dart² in the appointment intimated in your Letter. I have made the necessary enquiry of the pay Master General Mr. Palfrey. he informed me that Mr. Benj. Harrison Junr. of Virginia is his deputy P. M. G. for the So[u]thern district, that he is not authorized to appoint any other. If I were to apply to Congress in form, I ought to be arm'd with arguments in order to shew the utility and necessity of such appointment. 'tis true Mr. Clay was appointed for Georgia and also that it was in consequence of my particular request and recommendation.³ a Million of Dollars were granted for that State. I judged it exceedingly necessary that such a sum of public Money be distributed in a State distracted in their politics and Councils should be deposited in the hands of a Man on whose accuracy and Integrity the public could rely. Without meaning to disparage any other Man or to pay so much attention to the benefit of Mr. Clay as to the Safety and Interest of the public I named him as a Citizen in whose custody the public Treasury would be safe.

the Delegates from Georgia, whether they had any other person or mode in view I cant say, could have no objection to the Man, nor to the measure. they acquiesced, and Congress from these considerations made a special appointment altho' Mr. Palfrey is pay Master Genl. of all the Forces of the United States. . . .

We have been from time to time for above a month past alarmed by accounts from the Commander in Chief of the near and almost inevitable dispersion of the Army from a want of provision. Nakedness is cheerfully submitted to. the Genl. has made the most affecting complaints of neglect in the principal departments, has proceeded even to say that "never was Officer so impeded as he has been", yet, I intimate it with deep feeling and much regret, too little regard has been paid to his sensible, spirited Manly Representations. This great and virtuous Man has not acted the *half patriot*, by a hasty resignation. his Complaints are well founded, nevertheless he will not take a step which may greatly injure thirteen United States, because of the inconsiderate conduct, design, ignorance or

² There is a suggestion of this sort in Lafayette's letter of the same day. See nos. 60, 61, *post*.

[52]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 235.

² John Sandford Dart of South Carolina. Cf. the *Journals*, May 29.

³ Joseph Clay was appointed deputy paymaster-general Aug. 6, 1777. See the *Journals*, Aug. 1, 5, 6, 1777. Cf. Laurens to Gervais Aug. 5, and to McIntosh Aug. 11, 1777, in vol. II. of these *Letters*.

negligence of a Majority of *twenty-one*, too often only of *fifteen* Men. No internal Enemy can hurt him without his own consent. I trust he will not gratify the wishes of those who seek to remove him, if there be any such, and I hope the States will be roused, fill their Representations in Congress with Wise and spirited Men by whose exertions the heavy Cloud which now hangs over our heads may be dispelled. . . .

but I will say no more. I will go to Congress, endeavor to Counteract some, and reconcile the honest hearts now at variance.

It is impossible that you should be kept ignorant of an unhappy dispute subsisting between our Commander in Chief and Genl. Gates. I was long ago told of jealousies, but lately dangerous altercations have appeared and passed through Congress; a Letter written by Genl. Conway to Genl. Gates fanned up this alarming flame.⁴ you will see in Charles Town some particulars of this affair. Genl. Conway has been with me assured me Genl. Washington had been deceived and imposed on, that his Letter contained no such expressions as had been reported to the General. he was pleased to ask my sentiments upon the propriety of printing the Letter but did not offer to shew it me.⁵ these I delivered in every dissuasive argument to the measure, and added all the reasoning I was capable of to press the necessity of drawing a Veil before the Eyes of our Enemies, who from the very appearance of so capital a division would collect fresh encouragement for continuing their attempts to destroy our Independence, and their success would be followed by Scenes of Calamity in thousands of families of these States horrible even in Idea. under a Strong allusion, I remarked, it was the duty of every Citizen who pretended Love to his Country to employ his Talents in attempts to heal wounds upon our fraternal connexion, none but Enemies in disguise, would recommend a measure which must infallibly widen the breach etc. etc. the General was pleased to receive my opinion with apparent cordiality said he was convinced of the justness of my observations, and that it did not become Soldiers to print.

I have seen the Letter *⁶ this day (the 27th) it is true Genl. Washington was misinformed, the letter does not contain the words which had been reported to him, but ten times worse in every view.

I say these things dear Colonel to your Self, the World will be informed, but while it is not my province I desire not to appear officious or to be held up as an author. depend upon me for this Duty, I will strive to make peace by every proper means. and here I will leave this disagreeable subject.

As I strove hard for effecting the determination of Congress for suspending the embarkation of Mr. Burgoyne, it affords me great satisfaction to find that measure approbated by the most sensible and by all the Officers in the Army, as well for the justice as the policy of the Act.

⁴ See the *Journals*, Jan. 7, and no. 22, *ante*.

⁵ See nos. 22, 49, *ante*, 61, *post*.

⁶ " * in the hands of one of your *good sort of Men* who shews it only to proper persons. I gained a perusal by intreaty." [Note by Laurens.] Cf. no. 61, *post*. From a letter of John Fitzgerald to Washington Feb. 16 (*Writings*, ed. Sparks, V. 510) it is learned that the person to whom Laurens alludes was Daniel Roberdeau. Washington's reply to Fitzgerald Feb. 28, 1778, is now in the Library of Congress.

We have now in motion an Irruption into Canada under the Command of Marquis delafayette, provided he will condescend to accept of Mr. Conway for his second.⁷ if I may judge from his Letters to me in which he speaks of this Officer with the utmost abhorrence, he will not. what Congress may then determine is uncertain. Genl. Conway having learn'd the Marquis's disposition, pushed forward only yesterday (29th) which according to the plan of his friends, will make a shew of his activity in having commenced the enterprize. the Marquis will be here this Morning. a particular friend of Genl. Conway has lamented to me that all the French Officers hated him, and I learned from others that none of the English Officers (except a little party) love him. I had, before some late discoveries, entertained a very high opinion of this General.

A late determination in Congress has mortified me more than a little. upon my application for appointing a Brigadier in our State it was determined to postpone the consideration until a Committee now at Camp should return. in justice to Colonel Huger I nominated him, expressing my wishes at the same time that Colonel Motte on Account of his personal Merit as well as from real necessity of our State, should also be appointed, but there was nobody on the floor to take up and improve the suggestions from the Chair, or to reply to the Specious reasonings for postponing in which I perceived a good deal of design relative to Rank. I was necessitated to content my self, however much discontented, with barely demanding the appointment as a Right.⁸ We deserve the Evil of this delay and greater for our shameful unpardonable delay of filling up our Delagacy with sensible vigilant faithful Citizens. . . .

53. JAMES LOVELL TO JOSEPH TRUMBULL.¹

Janry 27th 1778.

Dear Sir

Your Letter of the 10th from Windham has come to hand, and I assure you gives me all the pain which a stranger to you would conjecture you wished it might give me at the time you wrote it. But, be equally assured that ninety nine hundreths of that pain arrises from the consideration of your ill state of health. Personally I deserve not any of your railing. And, if I was the main instrument in bringing about all you complain of, yet the present sufferings of the public Cause would, as they well may, so fully occupy my mind and occasion so much regret and pain that there would be no room left for your complaints of a personal nature to make impression. To be very honest with you, I think you have more than bodily Jaundice. The Gentleman who now presides here has a great regard for your hond. Father, and perhaps from an aim to show it has put you into a rage. A circular letter was written by a *Committee* to go to the *Legislature* of each of the 13 States it begins Sir; and the *President* was ordered to *transmit it*. This he ought perhaps to have done *variously* as the Legislatures are variously constituted. He ought to have Sent to

⁷ See no. 46, note 5, *ante*.

⁸ There is no record of this matter in the *Journals*.

[53]¹ Conn. Hist. Soc., Joseph Trumbull Papers.

the Govr. or the Presidt. or the Speaker; for Sir is meant for the Head of the Legislature. But you have taken it for granted that yr good Father was treated differently from the Head of the other Legislatures, and this *designedly by Congress*. The President being sick at Home thought Sir was intended for the Speaker of the lower house; here is the Mystery.²

I feel a little vexed with myself for having wrote so many lines upon this subject when I ought to have spent the same Ink in persuading you to come and help other honest men to mend bad plans or make some new ones.

I must remark that you are as much rong about P——'s³ being preferred before you as you were about yr Father's being ill treated. a Board of War was chosen while a Committee was planning a Victualling board. This last Committee reported that the addition of yr honor alone to the board of war would compleatly answer all the end proposed, thus you was elected, and the addition of one more was made as Genl. Gates may be occasionally called away in a military line ergo Mr. P——.

I have no arguments to use with you to come here but merely that of serving your country, for be assured that your accommodations will be bad and your Salary little adequate to the avaricious griping Spirit of these anglogerman People.⁴

I recon, dear Justice, you will call this Letter a new Insult, but be prepared, for I will continue to ask you from time to time to help us through the dangers of Shipwreck tho' I should be scolded by you ten times more than I have been.

My best Regards to your Amelia who I suppose could hang me for persuading you to forget your Injuries and consequently to leave her and wear yourself out for the public.

Yr obliged Friend
J L

54. DANIEL ROBERDEAU TO THE ACTING PRESIDENT OF PENNSYLVANIA
(GEORGE BRYAN).¹

YORK TOWN, Jany 27th, 1778.

Sir,

I have but time to forward the enclosed which came to hand since my letter to the President last Evening. as it relates to the subject then treated of you'll be pleased to present it to Council with my Respects.² I am of the committee to revise and report on the Commissarys department, and I think it probable that purchasers will be appointed in each State, therefore I repeat my request to Council that proper persons

² The reference is doubtless to the circular letter of Dec. 23, 1777. See the *Journals*, Dec. 20, 1777. Cf. nos. 84, 85, 98, 148, 291, *post*.

³ Timothy Pickering, who was elected a member of the board of war Nov. 7. Joseph Trumbull was elected to the board Nov. 27. See vol. II., nos. 700, 720, 743, 748, 757-761. Cf. no. 98, *post*.

⁴ Cf. nos. 78, 196, *post*.

[54]¹ Pa. State Lib., P. P. XLV. 36; *Pa. Arch.*, first ser., VI. 209.

² The enclosure cannot be identified. For the subject to which it related, see no. 50, *ante*.

may be recommended.³ I asked in my letter to Council, whether Robt. Towers would do, I now desire to know what you think of F. Wade and Mr. Geo. Kennedy, as purchasers?

55. FRANCIS LEWIS TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

BALTIMORE 27th Janry 1778.

Dear Sir

Being indulged by Congress with a few day's absence in order to Visit my family at this place, as a member of the Marine Committee, I have been charged by that Board, to inspect the fitting out some Continental Vessells now in this Harbour; of which one is a new Vessel built for a Packet Boat, destined to carry the Congress's dispatches to their Commissioners in Europe; This Vessel is ordered to be fitted for the Sea with the utmost expedition, and Commanded by Thomas Read Esqr. of the *Effingham* Frigate now laid up at Borden Town.²

56. JOHN HENRY, JR., TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORK TOWN Jan'y 27th, 1778.

Sir

The unsettled State which I have been in since I got here, has put it out of my power to answer your Letter of 19th Jany before this Time.²

Congress is extremely sorry the Salt could not be procured; at the same Time they highly approve of your Excellency's Conduct, and desired the president to return you and the Council the Thanks of Congress for your respect and Attention to their resolve.

Congress have accepted the Salt you offered, and I expect the president has wrote you fully upon that head; the Commissary is likewise to purchase such quantities as he may think necessary; and I am in hopes with what he will receive from you, there will be a sufficient quantity for the present Demand.

The Situation of our Army is truly alarming and unless we can supply it with provisions by some means more effectual than any now adopted, I am afraid they must separate. a Committee is now out for that purpose³

The Army is to under go a Reformation Mr. Carroll was one of the members of Congress appointed on that Business, but the indisposition of Mrs. Carrol called him home, the other Gentlemen that were appointed are now at Camp.⁴

³ See no. 50, *ante*; also the *Journals*, Jan. 14, 26, Feb. 23, 24, 27, Mar. 9, 10, 12, 13. Cf. nos. 56, 82, 97, 98, 108, *post*.

[55]¹ Hist. Soc. of Pa. Etting Coll., Signers, no. 54.

² The omitted part of the letter is an application for cannon with which to equip the packet. The reply, Feb. 11, is in *Arch. of Md.*, XVI. 488.

[56]¹ Md. Hist. Soc., Red Book, X. 66; *Arch. of Md.*, XVI. 475.

² The reference is doubtless to Johnson's letter to Congress Jan. 19, in *Arch. of Md.*, XVI. 469. See nos. 23, 25, 48, *ante*.

³ The reference is presumably to the committee on the commissariat system. See no. 54, *ante*. Cf. the *Journals*, Jan. 15, Feb. 5, 9, 11, 12, 14, 23.

⁴ See the *Journals*, Jan. 10, 12, 20. Cf. nos. 28, 44, *ante*, and no. 62, *post*.

Congress have at length agreed upon the just and equitable Doctrine of Retaliation, which you may see by the enclosed papers.⁵

We have no news.

57. HENRY LAURENS TO GEORGE WASHINGTON.¹

YORK, 27th Jany 1778.

Sir,

While I was sitting in Congress yesterday a Member came in and delivered me the inclosed paper just in its present State except the broken Seals. the Gentleman's declaration as he was putting the thing into my hand, that he had picked it up on the Stairs, was a sufficient alarm. I passed my Eye cursorily over the pages, put them into my pocket and intimated to the House that it was an anonymous production containing stuff which I must be content with, as perquisites of Office, that the hearth was the proper depository for such Records.

I have shewn them to no body and have long hesitated upon the propriety of troubling your Excellency with the knowledge of an attempt for which I want a proper Stigma. If I have erred in my present determination I beg Your Excellency will believe that my motives are pure, and that as I wish to avoid the very appearance of being a party Man or an Informer Your Excellency will be pleased to receive this in confidence and in the favorable light of an innocent intrusion.²

58. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
CHEVALIER DE LANEUVILLE.¹

27th Jany 1778

Sir,

The Letters and documents which you put into my hands for the consideration of Congress were duly presented this Morning, and after the opinions of several Members had been delivered on the subject, it was Resolved upon a question to postpone a determination until the House shall have received a Report from a Committee lately sent to General Washington's Army, who have, among other Duties, in charge to make new arrangements in some Ranks of Officers.

I pressed the House as forcibly as became me, to consider your request for a decisive answer, but it was their pleasure to rest at the Resolve above

⁵ See the *Journals*, Jan. 21, and nos. 41, 44, 47, *ante*, and no. 83, *post*.

[57]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 239.

² A copy of the mysterious paper, in an unidentified writing, and bearing the date Jan. 17, is in the Washington Papers under the date Jan. 27. It is entitled "Thoughts of a Freeman", and is addressed on the cover, "To the Honble the President of Congress and every Member thereof". On a second cover is found the address, "The Honble Henry Laurens, Esq., Presidt of Congress". The document is printed in the *Writings of Washington* (ed. Sparks), V. 497. This document is not to be confused with the anonymous communication to Patrick Henry, written from York Town Jan. 12 (*ibid.*, p. 495), transmitted by Governor Henry to Washington Feb. 20 (*ibid.*, p. 512; see also Henry's letter of Mar. 5, *ibid.*, p. 513), and by Washington fastened upon Benjamin Rush (see his letters to Henry Mar 27, 28, *ibid.*, pp. 514, 515). Washington's reply to Laurens Jan. 31 is in *Writings* (ed. Ford), VI. 353 (ed. Sparks), V. 504. See nos. 22, 49, 52, *ante*, and nos. 61, 72, *post*.

[58]¹ Library of Congress, President's Letter-Book, I. 155.

mentioned, from whence, it is my private sentiment, Congress are disposed from Considerations of your Merits as well as of those respectable recommendations which accompanied your application to grant the Rank you desire in the Army of the United States of America, provided this may be done without prejudice to the Service.²

59. JOHN WITHERSPOON TO WILLIAM CHURCHILL HOUSTON.¹

YORK TOWN Jan'y 27, 1778

D'r Sir

Your Favours of the 20th and 31st of last reached me at the same Time and no Sooner than the Day before Yesterday by Capt. Lane. I was sorry for this as some things required an immediate Answer for want of which I am probably bearing Some Blame. You would however I hope receive two Letters written by me since I came here which by making no Mention of such a Thing would convince you that a Recess of Congress was not in Contemplation. I never heard it so much as mentioned in this Place and I am persuaded that the Circumstances of Affairs do not admit of it.

My former Letters would convince you how much Anxiety I felt for the State of New Jersey this Winter but you have reason to be thankful that the present situation of the Army is favourable indeed compared to what was fully intended when I passed through the Camp in my Way to this Place They designed to have gone as far back as Lancaster Reading and Easton. I spoke to Gen. Washington with great Earnestness upon the Subject and as soon as I came here obtained a Resolve of Congress recommending to him to pay a particular Attention to the exposed State of New Jersey.²

I am sorry indeed that your Tax Bill failed but you must set about it again immediately. The State of Massachusetts have besides large Taxes called in all their own Paper Money to be paid either by the Taxes or by Treasury Notes on Interest which has already raised the Value of continental money 15 per Cent—I could heartily wish our State would do the same. Measures of so essential Importance at such a Season ought to be pursued without minding unpopular Clamours of wrong headed People. I have always found that Time justified what was in itself right when done upon right Principles. You were right to send a Committee to New Haven³ since it was desired and the rest were to do it but I look upon the scheme to be impracticable and absurd. Fixing Prices by Law never had nor ever will have any Effect but stopping Commerce and making Things scarce and dear. That Circumstance with some other Defects in the Commissary Department has brought our Army frequently near to starving. I believe the Congress is now convinced of that and though late will try

² See the *Journals*, Jan. 27, Feb. 2; also no. 32, *ante*, and nos. 265, 266, *post*.

[59]¹ Haverford College, Roberts Coll., 720; Brotherhead, *Book of Signers*, p. 211 (extract, dated Jan. 28); *Potter's American Monthly*, V. 597 (extract).

² See the *Journals*, Dec. 19, 1777.

³ The convention of committees from the states New Hampshire to Pennsylvania, inclusive, which met in New Haven Jan. 15-20. See the *Journals*, Jan. 15, Feb. 16, Mar. 16, Apr. 8, May 7, Aug. 27.

to lay up the Magazines for next summer by voluntary contracts.⁴ I wish the Legislature of each State would take the Direction of this Matter—They are doing so in Connecticut—When your Assembly meets could not the Members point out Dealers in the different Counties who would Contract for and collect Quantities of Flour Beef Pork and have the meat salted up before the Hot weather came on—but I cannot enlarge

You will have heard by this Time that Congress have ordered that Gen. Burgoyne shall not be suffered to embark till the Convention is certified by the Court of Britain. I arrived here just in Time to help on that Measure. It appeared to me both just and necessary. There were many Circumstances that indicated an Intention in him on frivolous Pretences to break it and if he had availed himself of these Pretences after he had got aboard the Public would not have easily forgiven us for not acting with greater Caution.⁵

There are no other News that I am at Liberty to communicate. Mr. Hart will inform you what was done as to the Demand for money. Since that time there has been an Order in favor of Gov. Livingston for 10.000 D's out of the Loan Office of New Jersey⁶ and as I suppose before the [latter?] part of March a considerable sum will be there We shall take Care that no Body shall get it but over our State.

A Committee of Congress is gone to Camp to regulate the Army⁷ in which I wish they may succeed. Our Officers are infected with such a seizing Thirst for Rank and Pay and there is sometimes such a Want of Firmness in Congress that there is Danger of their throwing Things into Confusion. In this as in most Cases we grow wise though late by Experience so that I hope they will not obtain these exorbitant Demands and yet be brought into Order. Some of them to my certain knowlege have threatned to resign—who if they did resign durst not shew their Faces in their own States. I believe I would have been chosen upon that Committee but I positively refused it chiefly on Account of my Character and Reputation but not from any fear of encountering them or yielding to any unjust Demand

I am at a Loss what to say about the Time you mention for my Return home. It is now so near that unless Dr. Scudder came immediately it is impracticable and it is really improper to leave Congress at present when much Business of the last Consequence is to be done and the Time is approaching when we must hear from England and France after the News of Burgoyne's Surrender reaches them. I must expect to hear from you in Answer to this which will determine me. . . .

Wednesday Jany 28

Since writing the above I am favored with yours of the 19 and 21 by Dr. Bloomfield or Dr. Tilton [?]⁸ and take the Opportunity of their Re-

⁴ Cf. the *Journals*, Jan. 15.

⁵ See nos. 6, 12, 13, 20, 21, 30, 31, 42, *ante*.

⁶ See the *Journals*, Dec. 24, 31, 1777, Jan. 24, 1778.

⁷ See the *Journals*, Jan. 10, 12, 20, and nos. 27, 28, 40, 44, 46, *ante*.

⁸ Dr. Moses Bloomfield and Dr. James Tilton were surgeons attached to the hospital at Princeton. In *Potter's American Monthly* the latter name is printed "Filen", a reading which the manuscript suggests; nevertheless it is probably Tilton.

turn to add some what further. I am obliged to you for the particular Detail of Abuses which I know to be real and great and shall make every use in my Power of the Information given, particularly I hope soon to obtain a Request of Congress to the Legislature of our or perhaps all the States to take the Oversight of the Continental Officers in their Bounds.⁹ This has been done already in particular Cases in N. York and Connecticut and from what happened in these Instances I am convinced there will be no Difficulty in obtaining it.

Pray let Dr. Scudder come here without Delay—a Committee of 6 Members of Congress are gone to Camp. There are at present 4 or five Single Persons if any one of whom Should be sick there could not be a Quorum.

Dr. Rush and Dr. Shippen are here just now and were Yesternight and this forenoon examined before a Committee of whom I am Chairman as to the Abuses in the Hospitals.¹⁰ No Pains will be spared to rectify what is amiss as far as practicable. The unlucky movement you mention in December was the Consequence of an Order from Headquarters though a very improper one. . . .

The Congress have now positively determined that Burgoyne and his Army shall not be suffered to embark till there is a formal Ratification of the Convention sent from the Court of London and that all the Expences of his Troops shall be paid in hard Money or Provisions.¹¹ I inclose you the Proceedings of Congress relative to the Prisoners¹² and mean to send some english News Papers, not any late in deed but which you must keep and return by a safe Conveyance when it can be found. If Dr. Scudder comes I shall probably set off immediately but am very much pressed to stay and in Case any important Intelligence come from England or France it may seem to demand it.¹³

60. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

YORK, 28th Jany 1778

Sir,

Very late last night (and it is now not day light), I had the honour of receiving your favour by the hands of Colonel Duplessis.² I perused it very carefully and will pay the most honorable regard to the Contents. forgive me Dear Marquis, for expressing some regret that you disclosed any part of them to a Gentleman who though very Sensible appears to me,

⁹ A resolution adopted Feb. 9 (*Journals*, pp. 139-140) appears to correspond to Witherspoon's idea.

¹⁰ See the *Journals*, Jan. 6, 26, 27, 30, Feb. 6; also nos. 69, 83, 187, *post*.

¹¹ See the *Journals*, Jan. 8, and nos. 20, 21, *ante*.

¹² See the *Journals*, Jan. 21. Cf. no. 41, *ante*.

¹³ William Churchill Houston, to whom this letter was addressed, was a professor in Dr. Witherspoon's college at Princeton, now Princeton University. He was at this time a member of the New Jersey assembly. See no. 92, *post*.

[60]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 239.

² The letter is in *S. C. Hist. and Geneal. Mag.*, VII. 125. It is without date, but is endorsed by Laurens, "supposed to have been written 26th. Recd. 27 Jan. 1778", and internal evidence confirms the supposition. See note 3, below.

and has given Some proof, to be often guardless and incautious.³ you command me to keep parts of your Letter in confidence, be assured Sir, the whole will be held in that Esteem. if I can produce or procure any good from the knowledge which you are pleased to communicate, it shall be effected without disclosing the Source

I know from the Gentleman himself that Genl. Conway is desirous of accompanying your Excellency upon the intended expedition and I am equally sure a rejection on your part will be received as a great disappointment. I took the liberty of intimating that it would be decent if not necessary to consult your Excellency upon the Question of who should be your Second, but the thing has been not only preconcerted but apparently predetermined. indeed by some contrivance I was deprived of the honour, and the means of doing my Duty, of informing you Officially of the appointments.⁴

As I do most sedulously avoid even the appearance of being a party Man, Your Excellency will the more readily excuse me for speaking only in general terms. I think I can discern on which side Virtue and honour predominate, as well as that where Craft and design are lurking under specious guise when perhaps the party themselves are blinded by prejudice and not sensible of their own errors, and as I judge charitably I would endeavour to act circumspectly even with such characters, who divested of the spirit of party may be valuable Men in community. . . .

61. HENRY LAURENS TO JOHN LAURENS.¹

28th Jan'y 1778.

My dear Son,

. . . . Genl. Conway has been twice say thrice with me the second time he consulted me on the propriety of printing, I'll call it, the Letter. I replied by every dissuasive argument. he did not offer to shew me the Letter, but I have since seen it in the hands of *a good sort of Man*, and 'tis possible the poison will by such means be disseminated. I cannot commend the Liberality of this proceeding, but I take it for granted he has first sent a Copy to the General, in that case there will [be] less crime or no crime in shewing it to his friends. from this consideration I say nothing of the Contents.²

³ This was Gouverneur Morris, one of the committee sent to headquarters (see no. 27, note 5, *ante*, and nos. 61, 62, note 2, *post*). In a postscript to his letter Lafayette wrote: "When I had just finished M. Moriss came into head quarters and as I did know that he was a friend of ours I have communicated to him almost all my letter—he will wait to you—I have been very happy to hear that he was of the same opinion as myself for gnl Mg. douggal." See no. 51, *ante*, and no. 61, *post*.

⁴ See the *Journals*, Jan. 23. Cf. nos. 52, *ante*, 64, 126, *post*.

[61]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 243.

² Cf. nos. 22, 52, 60, *ante*, and no. 72, *post*. The following passage in Conway's letter to Washington Jan. 27 is particularly pertinent here: "General Gates Delivered to me the Letter Which I had Directed to him last October, and of Which I had kept no Copy. I find With great satisfaction that the paragraph so much spoke of Does not exist in said Letter nor anything Like it. the Letter was communicated before my arrival to several members of congress, and as soon as I received it, I Delivered it to three other members who have perused it. as this calumny had gained ground, and was spread through the army, I meant to have the Letter publish'd with the certificate of General Gates, but Was prevented by President Laurens and some other members whom I had consulted on the subject, and who were of opinion that such a Measure would inform the enemy of a Misunderstanding prevailing among the generals of the

Yesterday I read to Congress a Letter from Mr. Govr. Morris recommending Genl. McDougal to be the Marquis's second.⁸ in the afternoon Genl. Conway called upon me to take leave and entered immediately upon his Journey to the Northward. "there was not a moment to be lost" and a Resolution is framed ordering Bills of Exchange to be drawn to a certain amount to be put into the hands of Marquis delafayette or any other Commanding Officer of the Troops intended to be sent to Canada. these are facts which you and I may think of, but I have neither time nor inclination to paraphrase, which I would do and boldly too if I were on the floor.

62. THE COMMITTEE OF CONFERENCE, MINUTES.¹

Minutes of Committee ²

Jan. 28th 1778

Present

Mr. Dana Chairman, Genl. Fulsom, Genl. Reid, Colo. Harvie, Mr. Morris.³

american army, therefore, sir, I must Depend upon your justice, candour, and Generosity for putting a stop to this forgery." In a postscript he adds: "if your Excellency thinks proper to honour me with an answer I wish you Would be so kind as to inclose it to President Laurens" (Library of Congress, Washington Papers; *Writings of Washington*, ed. Sparks, V. 502, without the postscript).

³ Morris's letter of Jan. 26 (no. 51, *ante*) was read in Congress Jan. 28. This part of the letter must therefore have been written Jan. 29. McDougall had, in fact, been one of the nominees, Jan. 23, for officers to conduct the Canadian expedition. He was assigned to the expedition conditionally Feb. 2. Cf. no. 64, *post*.

[62]¹ Library of Congress, Papers Cont. Cong., Misc., Portfolio 104. These minutes are partly in the writing of Gouverneur Morris, partly in that of Francis Dana, and partly in that of Joseph Reed. Beginning with Feb. 8 the entries were made almost entirely by Dana.

² In a letter to Congress, Dec. 23, Washington had set forth at length the deplorable condition of the army and had urged the appointment of two or three members of the board of war or a committee of Congress "to repair immediately to camp . . . and with the commanding officer, or a committee of his appointment, prepare and digest the most perfect plan that can be devised for correcting all abuses and making new arrangements", etc. (*Writings*, ed. Ford, VI. 257, ed. Sparks, V. 197). For the first steps taken by Congress in response to this request, see the *Journals*, Dec. 26, 29, 31, 1777, and these *Letters*, vol. II., nos. 790, 792, 794, 795. A motion, Dec. 31, to send a committee to camp was debated and finally referred to another committee. The latter committee brought in a report Jan. 10, and a resolution was adopted for appointing three members of Congress and three members of the board of war to constitute a committee, who, in concert with General Washington, were to effect extensive reforms in the army. The three members of Congress, Dana, Reed, and Folsom, were designated that day. This was at the close of the session on Saturday. On Monday, Jan. 12, the three members of the newly constituted board of war were chosen, namely, Gates, Mifflin, and Pickering, none of whom had, however, yet arrived at the seat of Congress. At the same time a fourth member of Congress was added, namely, John Harvie. By Jan. 20 (see no. 40, *ante*) Dana and Folsom had taken their departure for camp. By that date also General Gates had arrived at York (see no. 40, note 5, *ante*). Meanwhile the Conway Cabal, involving both Gates and Mifflin, had but a day or two before burst into exposure. Gates at once "offered such strong reasons for his not going to camp" that he was excused, as were also Mifflin and Pickering; and two other members of Congress, Charles Carroll of Carrollton and Gouverneur Morris, were added to the committee. Morris and Harvie were in Congress Jan. 21 (see the *Journals*), but were in Lancaster Jan. 24 (see no. 50, note 2, *ante*), and Morris at least was at camp Jan. 26 (see nos. 51, 60, *ante*). Carroll does not appear to have been with the committee at any time (see no. 56, *ante*). The committee's minutes extend only to Mar. 12, although it remained at camp some time thereafter.

⁸ The minutes appear to have been entered originally in a small book, from which the leaves were subsequently removed. What precedes occupies a single page; hence the second date.

28th Jany. 1778

Committee met

Wrote Letter to Cloathier Genl. No. 1.⁴

Genl. Washington appeared

Petition from Captn. Durkee, Lieutt. Spaulding and Ensign Pierce referred to Committee 19 Jany. was read. Petitioners to attend upon Notice to be given.⁵

Wrote Letter to Congress No. 2 recommending Genl. Schuyler as Quarter Master Genl. to which Genl. Fulsom dissents.⁶

29th Jany. Comm. met the Genl. present as before.

Read the Genls. Representation of the State of the Army etca.⁷

Wrote Letter to Congress No. 3 recommending Mr. Wadsworth as Commissary Genl. of Purchases.⁸

Resolved that the Commissaries of Issues and Forage the Quarter Master and Waggon Master General be requested immediately to make return to this Committee of the several Assistants, Deputies etca. employed within their respective Departments together with the Pay and Appointments of such Assistants, Deputies etca. distinguishing therein those who are taken from the Army together with their Rank and Station there.

Sent it inclosed in circular Letter No. 4 to the Persons mentioned in it.⁹

63. DANIEL ROBERDEAU TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, Jany 30th, 1778.

Sir,

This day a Letter from Genl. Washington to the Board of War was before Congress, respecting their detention of the British Officers and Waggons, of which he disapproved, as it was a measure stipulated betwixt him and Genl. Howe; nor does he disapprove the number of men in the escort, although it exceeds the stipulation, as he thinks they were as few as might be expected on the occasion, therefore they are ordered to proceed w[ith] their charge. The Letter was returned to the Board of

⁴ The clothier-general was James Mease.

⁵ See the *Journals*, Jan. 19, June 23; also no. 71, *post*.

⁶ See the *Journals*, Jan. 31. The letter is in *Papers Cont. Cong.*, no. 33, f. 71. It was written by Reed and signed by Dana as chairman.

⁷ Washington's representation, Jan. 29, is in *Writings* (ed. Ford), VI. 300.

⁸ See the *Journals*, Feb. 4. The letter sets forth in particular that an inquiry into the department of the commissary-general had not been favorable to the capacity and abilities of the gentleman in charge (William Buchanan). *Cf.* no. 84, *post*.

⁹ The circular letter, transmitting the committee's resolutions, is in the Library of Congress, U. S. Revolution. Beyond the examination of *Papers Cont. Cong.*, no. 33, containing a body of the committee's correspondence with Congress, and the several volumes of letters (*ibid.*, no. 78), of which there is a card catalogue, no effort has been made to locate the numerous letters and returns mentioned in these minutes. The commissary-general of issues was Col. Charles Stewart; the commissary-general of forage was Col. Clement Biddle; the wagonmaster-general of Pennsylvania was James Young, and he was probably the officer here alluded to, as the committee later had conferences with him.

[63]¹ Pa. State Lib., P. P., XLV. 40; *Pa. Arch.*, first ser., VI. 214.

War with Instructions to enquire into the Conduct of the Escort in our State, and I suppose you will be applied to. This brought on some debate and a Resolution approving your conduct, but as it did not touch the main point the indecent interference of the two Members of Congress, they being absent, the plaudit was at least suspended by the previous question. However the sense of the House was very appearant, particularly respecting your proceedure against the three Waggoners, who it was hoped would be brought to condign punishment, and it was the earnest desire to [of] the delegates of this State, that you should be acquainted therewith, therefore I am so particular in this relation, although I think it unnecessary. Our State opposed the Resolution, informing Congress we sought no Compliment but justice. I hope you will not forget to furnish me with a copy of the Letter found on the Serjeant. I must not omit mentioning that your Letter on the subject did the State great honor, and extorted a compliment from a quarter least expected, and the President desired me to allow him to take a Copy.² While I write, much interrupted by Congress, I am informed that you have taken up seven retailers of Counterfeit money, this opp'y I hope will not be omitted to do justice to our injured cause, which at the same time will strongly mark the propriety of Congress in the late Resolves requiring the payment of all provisions either in kind or in gold and silver.

64. HENRY LAURENS TO JOHN RUTLEDGE.¹

Dear Sir,

30th Jany 1778

. . . . consider Sir, the Circumstances of Congress, left to reap the fruits of former shameful Idleness and dissipation of time to correct the effects of some very gross and Some very wanton errors of those times with the aid of about 21 Members, often 13, sometimes barely 9 States on the floor represented by as many persons. I need say no more to your Excellency who are so well acquainted with business to shew that these are not sufficient even in number to perform the ordinary drudgery of Committees.² the Mornings are filled up till 10 or 11 oClock in those Circles. if we can then make a House we set till 1 or 2 and never take more than two hours respite, then sit again till 8 or 9. what time will this allow for refreshment resolutions and dispatch of business out of Doors—to me very little more than what I delve out of the Night, because my Mornings are unavoidably expended in giving answers to incessant applications.

Nine Brigadier Generals have made an humble Representation of injury which they feel from an undue promotion of Gen. Conway,³ an

² See nos. 50, 54, *ante*, and the *Journals*, Jan. 30. Washington's letter to the board of war Jan. 26, also a letter of Jan. 27, touching the same subject, are in *Writings* (ed. Sparks), V. 226, 227. See also his letter to Sir William Howe Jan. 30 (*ibid.*, p. 230; *Writings*, ed. Ford, VI. 352). The letter from the board of war to Wharton Jan. 31 is in *Pa. Arch.*, first ser., VI. 216; the reply, Feb. 16, is *ibid.*, p. 268. Cf. nos. 97, 108, 111, *post*.

[64]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 246. A notation in the letter-book indicates that the letter was despatched "per Gray 6th Febyr".

² Cf. a postscript, dated Jan. 30, 1778, to Laurens's letter to Gervais Dec. 30, 1777, vol. II., no. 793; also letter to George Read, Jan. 30, *Life of Read*, p. 294.

³ See the *Journals*, Jan. 19; also Washington to Laurens, Jan. 5, *Writings* (ed. Ford), VI. 280.

humble Petition has also appeared from eight valuable meritorious Colonels complaining of the promotion of Lieutt. Colo. Wilkinson to the Rank of Brigadier both are treated with the Contempt of lying on the Tables. Such a display of Wisdom and Justice may provoke a resentment exceedingly detrimental to the service.⁴

(3d Febr'y)

Congress have projected an Irruption into Canada, and have appointed Marquis delafayette 1st, Major Gen Conway 2d, and Brigadier Genl. Stark 3d in Command. the Marquis came from Camp to York, discovered a noble resentment for the affront offered to his Commander Genl. Washington, to whom his appointment had not been intimated by Congress, said he would not go without a General Officer of the Rank of "Major General" in whom he could put confidence, and therefore demanded Genl. McDougal or Baron Kalb and that their appointment Should be through his General.

Congress and the Board of War hesitated. the Marquis said if he was disappointed he must immediately go to France to account for his conduct, and that every foreign Officer could accompany him. had an Irruption of this nature taken place, the World at large must have been informed of the unmeritted insult offered the General and Commander in Chief, and Censure must have followed both on Congress and the Board of War. Ignorance perhaps might have accounted for the conduct of the former, although they were warned against the unjustifiable step. a good deal of struggle was made to elude the Marquis's demands. he was firm and succeeded, and this morning he took leave of me and proceeded to the Camp in order as he says, to receive the Commands of his General, to take either Genl. McDougal or Genl. Kalb with him and go rapidly forward to Albany. he speaks of G C in the most unfavorable terms, who will be much mortified by this new arrangement.⁵

⁴ Cf. nos. 5, 29, 36, *ante*.

⁵ See the *Journals*, Feb. 2, and no. 46, note 5, *ante*. See also Lafayette's letter to Congress Jan. 31, read Feb. 2 (Papers Cont. Cong., no. 156, f. 5; printed in Tower, *Lafayette in the Revolution*, I. 277). An account of the projected Canadian expedition is *ibid.*, pp. 268-291, including (pp. 272-275) the text of the board of war's instructions to Lafayette.

Lafayette's opposition to Conway and his solicitations for the appointment of either Kalb or McDougall were fervently pressed in a number of letters to President Laurens. Besides that of Jan. 26 (?) already mentioned (no. 61, note 2, *ante*), and one written probably the following day (*S. C. Hist. and Geneal. Mag.*, VII. 179), this is particularly true of those written while he was at York. This visit to the seat of Congress extended from probably Jan. 30 to the morning of Feb. 3. In *S. C. Hist. and Geneal. Mag.*, VII. 182, 183, are two communications to Henry Laurens, without date, but endorsed by Laurens as of Jan. 31. The latter of these (dated "At half past nine" evidently in the evening) begins with the statement: "I am coming from that board. I spoke to them with a great frankness and finished by telling that if they don't give me mcdougall or Kalb, and the french officers appointed according to my ideas I decline the appointment and will go to france with most all the french officers in the army. I am sorry my dear sir, to think that two or three rascals oblige me to make out such a conditions and take such steps, tho he [probably erroneous reading for *Lee*; see below] was I believe for me, duer quite against, the secretary charmed with that dispute, and the old fellow scratching his wigg—I think they'l beg Congress to meet tomorrow tho' it is Sunday—then my proposition and my leave in case of refusal will be layd down in the worst light possible." The board of war brought in its report Feb. 2. The members of the board who appear to have been present when the conference with Lafayette took

I count it a misfortune that I do not approve of this Canada expedition because I am almost Single in opinion. however there is no Man in our Army So likely to succeed in it as this Young Noble Man. he is skilful in the Art of War, is sensible and brave and will have great Influence in Canada with the Noblesse, the Church and the Commonalty. he takes in his suite some eight or ten french Officers in order to raise Companies in that Country.⁶

I have heard it avowed in full Congress that we have sustained losses of several hundred thousand Dollars in the passage from the Board of War to distant departments, not in my time thank God. is it not very extraordinary we have not taken the trouble even to enquire into this?

65. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[January 30, 31, 1778.]

30th. Took into cons. the arrangemt. of the Battalions and settled it.²

Also cons'd half pay, but not concluded.³

31. Took into cons. the scarcity of prov: and wrote to Mr. Blane (No. 5)⁴
Received the return of persons employed in the Forage Departmt.

(No. 6)

Recd. Return of Asst. Comrs. of Issues for the middle Departmt.

(No. 7)

Recd. Clothier Gen: Lettr. (No. 8)

66. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA (RICHARD CASWELL).¹

Dear Sir

YORK TOWN Jany. 31st 1778

I take the Liberty to inclose to your Excellency the Last papers to which I refer you for News. . . .

place were General Gates, Francis Lightfoot Lee (Lafayette must have written "Lee" where the text above has "he"), William Duer, and Richard Peters, the secretary. It is Peters, doubtless, to whom Lafayette alludes as being charmed with the dispute. There are three other characteristic letters from Lafayette to Laurens, written immediately after his visit to York (*ibid.*, pp. 185, 186, 188). In the first of these, written from "Anderson ferry at three oclock in a great hurry" (apparently the afternoon of the day of his departure from York, Feb. 3), he mentions that he had encountered "one other rapid incursor from the board going to reading", meaning that he had met General Mifflin on his way to Reading. In a postscript to the letter of Feb. 3 from Richard Peters to Robert Morris, from which some extracts have been quoted (no. 44, note 6, *ante*), is found this remark: "General Gates and myself had concluded to go to Mannheim but found we could not leave the office, Mifflin being gone and none of the other Members attending *pour quelle raison Je n'scay pas*."

⁶ In some manner a rumor had gained currency to the southward that Canada had already cast in her lot with the United States. Allen Jones of North Carolina wrote to Governor Caswell Jan. 31: "A Gentleman from Virga, yesterday told me that he saw a person from the No'ward who says it may be relied on that the Canadians have acceded to the Confederacy with the 13 United States and that their Delegates are at Congress. I heartily wish this may prove true, and I do not think it improbable as the British Force in that part is almost annihilated" (copied from the original, then in possession of Mr. W. R. Benjamin of New York; *N. C. State Recs.*, XIII. 25). See also *ibid.*, XIII. 32, 35, 36, 40, 46, 370; *Letters of Richard Henry Lee*, I. 385; and *Writings of Washington* (ed. Sparks), V. 388.

[65]¹ See no. 62, note 1, *ante*.

² See nos. 71, 75, 79, *post*.

³ See the *Journals*, Mar. 26-28, and no. 174, note 2, *post*.

⁴ Ephraim Blaine was deputy commissary-general of purchases.

[66]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; *N. C. State Recs.*, XIII. 20.

Congress have a high Sense of the Offer made by Our Country, of marching 5000 Militia to the Assistance of the Grand Army, and greatly applaud their Spirit. whether they will be called for, is not yet known. I suppose they will not, (having so great a distance to March) unless in case of Immergency. But this is no more than my Private Opinion and not to be mentioned.²

67. GEORGE FROST TO JOSIAH BARTLETT.¹

YORK TOWN, Jan'a. 31st 1778

Sir,

. . . . It is said that a Council of Officers in the Armeý has proposed to Genl. Washington to nominate 6 Lev. Genls. said Lev. Genls. to nominate 12 Majr. Genls. and the Majr. Genls. to nominate 24 Brigr. Genls. . . . it is also proposed that all Officers in the Armeý to be settled on half pay that may not be in actual service on the Conclusion of the War, and that all Officers Widows shall have a penson dureing their widowhud. we have some Advocates in Congress for the penson. Your prudence will Sergest how far to Communicate this Inteligence Should be glad to have your and our best friends oppinion on the matter.²

68. GOUVERNEUR MORRIS TO JOHN JAY.¹

CAMP, VALLEY FORGE, Feb. 1st, 1778.

Dear Jay:

Congress have sent me here in conjunction with some other gentlemen, to regulate their army,² and in truth not a little regulation hath become necessary. Our quarter-master and commissary departments are in a most lamentable situation. Opportunities have been neglected last campaign which were truly golden ones, but omnipotent fatality had, it seems, determined that the American capital should fall. Our sentiments on this occasion are so perfectly coincident that I will not enlarge. The mighty Senate of America is not what you have known it. The Continental currency and Congress have both depreciated, but in the hands of the Almighty Architect of empires, the stone which the builders have rejected may easily become head of the corner.

69. JOHN WITHERSPOON TO BENJAMIN RUSH.¹

YORK TOWN Feby 2, 1778

Sir

I was favoured with your Letter covering two Forms of Resignation. There was nothing exceptionable in any of them. I however gave in that

² Feb. 10 Harnett wrote that Congress had not yet determined to call for the reinforcement offered by North Carolina (*N. C. State Recs.*, XIII. 37). Cf. no. 149, *post*.

[67]¹ N. Y. Pub. Lib., Emmet Coll., no. 459; *Hist. Mag.*, first ser., VII. 49.

² See the *Journals*, Jan. 5, 9, 10; cf. nos. 28, 29, *ante*.

[68]¹ *Correspondence of Jay* (ed. Johnston), I. 173; Sparks, *Life of Gouverneur Morris*, I. 153.

² See no. 62, *ante*.

[69]¹ Library Company of Philadelphia, Ridgway Branch, Rush MSS., XLIII. 46.

which says you found you could not discharge your Duty as you would etc. which was accepted without a word said by any Person upon the Subject.² I am sorry for the Necessity of the Measure and yet I question whether you could have done anything more proper for Dr. Shippen was fully determined to bring the Matter to a Contest between you, refusing positively to serve with you which would have occasioned an Examination and Judgement troublesome to us hurtful probably to both of you and uncertain in its Issue. I have mentioned to some Members what you proposed to me about the Expedition³ you know of but they seemed to be at a Loss what Station or Character you could sustain. Some Difficulties are likely to arise in that Expedition if however it go on and I can find any Opening I shall remember your Proposal. In the mean time as you make use of the word *Retirement* in your Letter to me I beg you may pay some Regard to my former Opinion upon that subject which you must well remember. I suppose I shall see you at Princeton in a short time as I shall probably go home when Dr. Scudder arrives My Compliments to Mrs. Rush and Mr. and Mrs. Stockton with the young Folks

70. JAMES LOVELL TO BENJAMIN LINCOLN.¹

YORK IN PENNSYLVANIA Feb. 2d 1778.

Dear Sir,

I am sorry, but not altogether surprised to find from a mutual good Friend that the Resolve of Congress of the 29th of November, which I inclose connected with one of the 12th of that Month supposing a Chance of your not having been furnished with it, has made you uneasy.

I see Circumstances attending your Case which are not common to the Cases of those among the Brigadiers who will be affected by the Arrangement of Woodford and Scott, and also the Cases of St. Clair Stephen Mifflin and Stirling.²

It had been often positively declared upon Debates prior to Novr. 29th that the Gentlemen who were created Majors Genl. on the 19th of Febry

² Dr. Benjamin Rush was made surgeon-general of the hospital in the Middle department Apr. 11, 1777, and was chosen physician general of the hospital in the same department July 1 following. Dr. William Shippen (the younger) had been director general of all the hospitals since Apr. 11, 1777. See the *Journals*, Jan. 30; cf. no. 59, *ante*, and nos. 83, 187, *post*. Richard Peters, secretary to the board of war, wrote to Robert Morris, Feb. 3: "I received your Favor by Dr. Shippen and complied with your Request or rather authority as to mentioning your opinion about him. He will inform you about the Situation of that Department which like all others seems to be convulsed to its Center. Rush has resigned. There is so much said on both Sides that I fancy both were wrong at least in some Degree." (Henkels, *Catalogue*, no. 1183, item 198.) Among the Rush MSS. in the Ridgway Branch of the Library Company of Philadelphia (Yiz 7245F119) is the draft of a letter, without date, to Dr. John Morgan, giving *in extenso* the reasons for his resignation, together with an account of the contest between him and Dr. Shippen before the committee of Congress.

³ Doubtless the projected expedition to Canada. See no. 46, *ante*.

[70]¹ Copied from the original, then in possession of C. F. Libbie and Company of Boston.

² The four officers last mentioned, together with Benjamin Lincoln, were elected major-generals Feb. 19, 1777. Concerning the cases of Woodford and Scott, see vol. II., no. 745. With regard to the question of rank as between Woodford and Weedon (involving also Scott and Muhlenberg), see nos. 95, 99, note 2, 104, 178, 495, *post*.

had signified their entire Willingness that A³ should have the same Rank as if he had been made a Major General on the same Day with them. Though this Declaration had been made without Effect formerly, yet, it had Influence on the 29th of Novr. when his Name was added in a Resolve which was on the point of passing in regard to two other Officers,⁴ whose Case, it was asserted, was similar to his.

This Resemblance was true in a Reference of A. to the 4 other Gentlemen promoted on the Day you was chosen a Continental M. G. but it is not true when referred to your former Situation. And this Nicety was not adverted to at all I believe when the sudden Addition was offered and passed Novr. 29th or if adverted to it did not operate so powerfully as the Influence of the Declaration before mentioned.

You may be assured that your Name and Character is as highly esteemed in Congress [as?] at both Camps, than which I cannot find a more honorable Comparison.

I cannot boast of an Intimacy with you in any measure proportionate to my Regard, but I hope you will let that be no Obstacle to your pointing out to me in a plain Manner how I may in any Measure promote your Happiness which I most sincerely wish to do.

I will depend so much upon finding Credit to my Assertion as to expect to hear from you soon either directly or through Genl. Gates who is the mutual good Friend I have hinted at before.

I am Dear Sir

Your affectionate humble Servant

JAMES LOVELL.

71. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 2, 3, [1778.]

Febry. 2d. Present as before

Recd. Letter from Qur. Master Lutterlow (*No. 9*)²

Recd. the return of the W. M. Genls. Department (*No. 10*)³

Resolved to recommend to Congress the Draught of a Number of Men to complete the Battalions on the Establishmt. also fixed the Quotas of the several States. Agreed that the German Battalion belong to Maryland as part of their Quota. James Livingstons and Hazens to be united on the new Establishmt. under Hazen the Surplus to be added to Warners Armand's to be reduced and thrown into the 9 of the 16 to be kept up.⁴

³ Benedict Arnold. See vol. II., nos. 419, 476, 582, 583, 585, 586, 607, 671. In accordance with the resolve of Congress Nov. 29, Washington had sent to Arnold, Jan. 20, a new commission, restoring him to the rank which he claimed in the army, and on the same day had apprized General Lincoln of his action (*Writings*, ed. Sparks, V. 215, 217, ed. Ford, VI. 289, 289 n.). Lincoln's reply, Mar. 1, is in the Library of Congress, Washington Papers.

⁴ That is, Woodford and Scott.

[71]¹ See no. 62, note 1, *ante*.

² Henry Emanuel Lutterloh was deputy quartermaster-general. Cf. *Pa. Arch.*, first ser., VI. 210, 212. See also the committee's letter of Feb. 12, *Life of Reed*, I. 360.

³ See no. 62, note 9, *ante*.

⁴ See no. 65, *ante*, and nos. 75, 79, *post*.

Took into Cons. Colo. Campbell's application to Congress and denied his request to go in upon parole to solicit his Exchange.⁵

3d. Consider'd Capt. Durkee's and others petition and denied the prayer of it.⁶

Wrote a Letter to Congress on the Exp[er]dition agst. Phila. forwarded by Col. Fitzgerald. (No. 11.)⁷

Recd. the Return of Persons employed in the Qr. M'r Genl. Departmt. (No. 12) and Lutterloh's 2d Letter (No. 13)

Conferr'd with Col. Blaine D'y Comm'y of Issues⁸ on the State of Provisions of the Army and recd. his Return of Meat purchased—No. 13.

Recd. from Gen. Green Returns of the Army and an Acct. of Returns drawn during the Month of December.

72. HENRY LAURENS TO JOHN LAURENS.¹

YORK TOWN 3d Febr'y 1778

My Dear Son,

. . . . In conversation with Gen. Gates without seeking on my side, I discovered an inclination in him to be upon friendly terms with our great and good General.² it cannot be doubted but that there is the same disposition on the other side. what would I not give to see a perfect and happy reconciliation.

talking of Gen. Conway's Letter which has been circulating as formerly intimated, and of which Gen. Gates declared both his ignorance and disapprobation,³ I took occasion to say, if Gen. Conway pretends sincerity in his late Parallel between the great F— and the great W—⁴ he has, taking this Letter into view, been guilty of the blackest hypocrisy—if not, he is chargeable with the guilt of an unprovoked sarcasm, and is unpardonable. the General perfectly acquiesced in that sentiment and added such hints

⁵ See the *Journals*, Jan. 13, 16, Mar. 2, 30, Apr. 10, and no. 203, *post*.

⁶ See no. 62, *ante*.

⁷ This letter, which is in the writing of Reed and signed by all five members of the committee present (Dana, Reed, Folsom, Harvie, and Morris), relates to the memorial of the Pennsylvania assembly and council, beseeching that the enemy be driven out of Philadelphia (see the *Journals*, Jan. 5, 9, 16), and was read in Congress Feb. 16. The committee disapproved of the proposal. The letter of the Pennsylvania council, Jan. 2, is in *Pa. Arch.*, first ser., VI. 153. A copy of the memorial is in *Papers Cont. Cong.*, no. 33, f. 85. See no. 37, *ante*.

⁸ Blaine was deputy commissary-general of purchases, not of issues. See no. 65, *ante*.

[72]¹ Hist. Soc. of Pa., Dreer Coll.; S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 251; Wharton, *Rev. Dipl. Corr.*, I. 281 (extract, with erroneous date, Apr. 9).

² It is significant that Gates should have approached Laurens with such overtures straightway after the banquet (supposed to have been given the night before) at which Lafayette confounded the conspirators by demanding a toast to Washington.

³ See no. 21, note 2, *ante*.

⁴ The allusion is to the passage in Conway's letter to Washington, Dec. 31, quoted under no. 22, note 13, *ante*. It is proper to observe that Wharton, in quoting the passage (see note 1, above), incorrectly interprets the "F—" as "Fabius". Evidently he had not seen Conway's letter. Wharton's misapprehension with regard to the date of this letter also naturally affected his interpretation of the conversation, as well as of Gates's letter to Laurens, May 27 (see no. 320, *post*). Cf. Gates to Washington, Feb. 19, in *Writings of Washington* (ed. Sparks), V. 511.

as convinced me he thought lightly of Conway. shall such a Man separate friends or keep them asunder? it must not be.⁵

My Dear Son I pray God protect you
HENRY LAURENS.

Lt. Colonel Laurens.

73. JONATHAN BAYARD SMITH TO THE ACTING PRESIDENT OF
PENNSYLVANIA (GEORGE BRYAN).¹

YORK TOWN, Feb. 3d, 1778.

Dr. Sir,

I wrote you a few days ago by . . . Nothing since has occurred worth your notice. The Assembly of Virginia has acceded to the Confederation. I do not think, however, they have treated the matter with form equal to its importance. Does it appear proper to raise so great a fabrick on the slender basis of a simple resolution of the two houses? Will not *legal consequences* follow from this confederation? I apprehend it would be not only proper, but that it would answer many valuable purposes if more form were used, at least if the articles were approved and acceded to by a law of each State solemnly enacted, and in which law perhaps it may be expedient to insert certain matters connected therewith.² It is a question in this house, whether suits can be supported for the recovery of particular *³ moneys in the several States. What think you of this? This may be one object in the act I speak of. . . .

74. JOHN PENN TO ROBERT MORRIS.¹

YORK Feby 4th 1778

My dear Sir

I intended before this to have seen you at Manheim. Mr. Harnet² being unable to attend Congress having the Gout, will make it some days before I can have that pleasure.

The design of this letter is to inform you that I wish you would lay the accounts of the Secret Committee, before Congress as soon as you can possibly. some members at times drop expressions on that subject that I do not like. There are few men whose Ability and Integrity I have so high an opinion of, as I have of yours. I do not mean to alarm you by

⁵ Replying to his father, Feb. 9, John Laurens says: "I could not forbear communicating a part of your favour of 3d inst., to our friend; he seems sensible that the gentleman, who you mention to have conversed with you upon certain matters, is only the instrument of more dangerous and inveterate personages." *Army Correspondence*, p. 121. Cf. nos. 60, 61, *ante*. See also Washington to Landon Carter, May 30 (*Writings*, ed. Ford, VII. 37, ed. Sparks, V. 388).

[73]¹ *Pa. Arch.*, first ser., VI. 232.

² The Articles of Confederation were approved by the Virginia house of delegates Dec. 15, and by the senate Dec. 16. From the modern point of view at least the act of ratification was sufficiently formal and dignified. Cf. Lovell's remarks respecting the ratification by New York (no. 161, *post*), and the form of ratification proposed by Congress, June 26, 1778. See also nos. 112, 122, 140, note 2, *post*.

³ "Owing to the seal, a part of this word cannot be seen." [Note in *Pa. Arch.*]

[74]¹ Hist. Soc. of Pa., Etting Coll., Signers, no. 77.

² See Harnett to Caswell, Jan. 31, *N. C. State Recs.*, XIII. 20, and no. 86, *post*.

what I have said, but only to induce you to attend to this matter more than perhaps otherwise you would.⁸ when I see you I shall be more explicit.⁴

75. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 4, 5, 1778.]

4th. Conferr'd with Col. Palfrey² on the State of the military Chest—proceeded on the Arrangemt. of the Army and the Draught to fill up the Continental Battalions.³

5. Recd. Proposals from Col. Blain in the Provision Department—No. 14. Recd. a second Lettr. from the Clothier Genl. (No. 15).

76. JAMES LOVELL TO RICHARD HENRY LEE.¹

YORK Janry. [February] 5th, 1778.

Dear Sir.

Your favors of the 15th and 23d of January came yesterday to hand. I am exceedingly pleased with the proceedings of your General Assembly. I hold them out in all my letters to the eastward as a fine example.

I shall send you the oath of Allegiance which passed in Congress yesterday as soon as it comes from the Press. It is our Business to take measures with all continental officers whatever. The states will take care of their particular citizens. Maryland besides excluding non jurors from offices etc. makes them liable to a treble tax; which I think falls well in with your idea of making it as inconvenient as possible for such vermin to exist among us.

I ought to have informed you that Mr. J. A. has accepted, and that I constantly forward to him letters and papers for F—. ² and Mr. Iz[ard] also accepts for Tu[rin], and speaks of the probability of obtaining a Loan in It[al]y. I have therefore obtained a Resolve (similar to that passed on Decr. 3d) for 1,000,000 stg. upon an interest to accumulate (if it can be obtained) during the war, afterwards to be paid off annually. You must have heard from your Brother of the great disappointment we met with about our dispatches from France.³ I have no doubt the robbery was committed on the other side of the water, and by a person near the Commissioners; as, besides the main packet, one for you was changed

⁸ See nos. 109, 462, *post*, also Morris's letter to the public, Jan. 7, 1779, in vol. IV. For a résumé of the episode pertaining to the books of the secret or commercial committee, see Wallace's *Laurens*, ch. XXII.

⁴ See no. 133, *post*.

[75]¹ See no. 62, note 1, *ante*.

² Col. William Palfrey was paymaster-general.

³ See nos. 65, 71, *ante*, and no. 79, *post*.

[76]¹ Harvard Univ. Lib.; Lee MSS., IV. 8.

² Franklin. The words "Izard", "Turin", and "Italy" have been filled out in the manuscript by another hand.

³ Against this sentence, in the same hand that made the emendations mentioned in note 2, above, is the following marginal note: "allusion to certain despatches from the Commissioners at Paris, and private letters from A. Lee, which were del'd to Capt. Folger in France, but were stolen by S. Deane out of the *envelopes*, and the *latter* were del'd to Congress by the Capt. on his arrival in America."

which was under a cover among Gazetts, while a very considerable for the President of Congress another for me and another for Barnabas Deane and a 4th for R Morris were untouched. But then, all these were upon private concerns, tho their Directions were more tempting than yours could have been. I have the satisfaction of remarking to you that my Letter from Doctr. Franklin as well as Genl. Roberdeau's, and all for other Gentlemen from the Doctor or other friends were written with an air of ease and pleasantry which I should not expect to find if the public packet had been quite the reverse. . . .

I am in hopes that we shall get our army both cloathed and fed by the good care of the Several States and our own after wisdom in regard to certain Systematic attachment. I think we grow more and more practical daily, I wish we had not waited for the teachings of woeful Experience.

I have not recd. Letters from Boston for a long time. Our good Friends Adams were well the 7th of Jan'ry. I am glad they are in the way to advise Heath in his present difficult task with Burgoyne. I wish you had been present in our debates upon that Subject, I think you must have approved the Step of detaining him upon the grounds which appeared for such a procedure.*

77. JOHN PENN TO THEODORICK BLAND.¹

YORK Feby. 6th 1778

Dear Sir:

My having been unwell for some time past is the reason of my not writing to you as often as I intended. We are informed that the King's officers behave with great severity to the Canadians, that by Flogging those that were taken with Burgoyne on their return, they had Compelled all of them to inlist again, tho' expressly contrary to the Convention of Saratoga, and that the Inhabitants in general were much incensed against their oppressors. Congress have determined to have an expedition made as far as Mountreal at least, in order to get possession or destroy the enemy's Fleet on the lakes, and in order to induce the Canadians to exert themselves and Join us, the Marquis De lay Fayette will command. Generals McDougale, Conway and Stark attend him. The men employed will go from Albany and New Hampshire.² The reputation we have acquired in taking Burgoyne, and the dissatisfaction of the people against the English, make me hope for something Clever, besides it will rouse us a little which we want and distress the Ministry in their Councils, they will be at a loss where to send reinforcements if they have any. I informed you that Burgoyne and his whole Army were to be detained untill the Convention is Confirmed by the Ministry. Burgoyne wrote to Gen. Gates that we had broke the Convention, on account of his not having so good lodgings as he wanted, and soon after refused to suffer a discriptive list to be taken of his Troops wch. was done by Genl. Carlton before he would

⁴ See no. 21, note 2, *ante*.

[77]¹ Library of Congress, J. P. Morgan Collection, Signers of the Declaration. Addressed, "The. Bland Esqr. Colo. of the 1st Regimt. of Horse Prince George Co'ty Virginia".

² See no. 46, note 5, *ante*.

suffer our soldiers to come out of Canada.³ My Complimts. to Mrs. Bland. I am with great respect

Your obt. Servt.

J. PENN

A Committee of Congress is at the Camp with General Washington endeavoring to reform our Army. I have not had an opportunity of saying any thing on the subject of Rank since you went away nor can it be done before the Committee returns.⁴

J. P.

78. JAMES LOVELL TO SAMUEL ADAMS.¹

Feb: 6th. 1778

YORK TOWN

Dear Sir

I write only to tell you that you are exceedingly wanted here. I wish I could add that you will be better accommodated than before; but really I have no grounds upon which to assert that you will be as well off.

I have at times hoped that we should move nearer Boston, but I now look southward for the next ride if we make one in any other course than to the City of Philadelphia.²

79. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 6, 7, 1778.]

6th. Finished the Resolves on the Drafts—also Letter to Congress on that Subject—with the Establishmt. and Arrangement of the new Army.²

7. Confer'd with the Marquis de la Fayette on his Return from Congress.³

With Col. Blain on the State of Provisions. forwarded the above Letters of yesterday to Congress.⁴

³ See nos. 21, note 2, *ante*.

⁴ See no. 104, *post*. Cf. no. 70, *ante*, and nos. 95, 99, *post*.

[78]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² The earliest entry in the *Journals* relative to the removal of Congress from York was Apr. 9. The subject was then assigned for consideration Apr. 11, but no further mention is found in the *Journals* until June 24, when it was voted to adjourn from York June 27 to meet in Philadelphia July 2. Cf. no. 196, note 2, *post*.

[79]¹ See no. 62, note 1, *ante*.

² See nos. 65, 71, 75, *ante*. The letter concerning the arrangement of the army was dated Feb. 5 and was read in Congress Feb. 16. For the enclosures nos. 1 to 4 (Infantry, Artillery, Cavalry, Provost), see the *Journals*, May 27. The arrangement of the engineering department, found *ibid.*, is "No. 6" and appears to have been a later addition. No. 5 related to the matter of quotas (see the *Journals*, Feb. 26). The committee definitely laid the proposed arrangement before Congress May 18. See, further, the *Journals*, May 19, 20, 29, June 4. A letter dated Feb. 6, also read Feb. 16, related chiefly to the question of provisions, but in part to the convention prisoners (see the *Journals*, Feb. 19).

³ Cf. no. 87, note 6, *post*. Lafayette had returned two or three days previously from York, whither he had gone to lay before Congress his wishes (or demands) respecting the officers who were to accompany him on the projected Canadian expedition. See no. 64, note 5, *ante*. On this particular day, "the seventh à five in the morning", he wrote to President Laurens, presumably from Washington's headquarters, touching briefly the Canadian expedition, but more especially in behalf of some of his French compatriots. (*S. C. Hist. and Geneal. Mag.*, VII. 188.)

⁴ The entries in the minutes for Feb. 8 and 9 are merely "Sunday", and "No Committee", respectively.

80. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

7th Feby 1778.

Sir,

I had the honour this Morning of receiving your Commands by the hands of Lt. Colo. Fleury.

This Gentleman not withstanding the aid of some able advocates in Congress has failed in his pursuit of a Colonel's Commission. you will wonder less, when you learn that the preceeding day I had strove very arduously as second to a warm recommendation from a favorite General, Gates, on behalf of Monsr. Failly, for the same Rank, without effect. the arguments adduced by Gentlemen who have opposed these measures, are strong and obvious.

"We are reforming and reducing the Number of Officers in our Army. let us wait the event, and see how our own Native Officers are to be disposed of." and besides, there is a plan in embrio for abolishing the Class of Colonel in our Army, while the Enemy have none of that rank in the Field.

Some difficulty attended obtaining leave for Monsr. Fleury to follow your Excellency. Congress were at first of opinion he might be more usefully employed against the Shipping in Delaware and formed a Resolve very flattering and tempting to induce him, but his perseverance in petitioning to be sent to Canada, prevailed.²

Monsr. Fleury strongly hopes Your Excellency will encourage him to raise and give him the Command of a distinct Corps of Canadians. I am persuaded you will adopt all such measures as shall promise advantage to the Service and there is no ground to doubt of your doing every reasonable and proper thing for the gratification and honour of a Gentleman of whom Your Excellency Speakes and writes so favorably. . . .

81. ELBRIDGE GERRY TO HENRY KNOX.¹

YORK, IN PENNSYLVANIA, Feb. 7, 1778.

Dear Sir,

I have not yet been able to make any discoveries that can justify a suspicion of a plan being formed to injure the reputation of, or remove from

[80]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 254.

² Lafayette's letter, without date (probably Feb. 3), but endorsed, "Recd 6th Feby 1778", is in *S. C. Hist. and Geneal. Mag.*, VII. 186. Cf. his letter of Feb. 7 (*ibid.*, p. 188). A letter from John Laurens Feb. 3, introducing Colonel Fleury, is in *Army Correspondence*, p. 118. Cf. his letter of Feb. 9 (*ibid.*, p. 119). Laurens wrote to his son John, Feb. 6: "Your friend Fleury this moment takes leave of me and in pouring freely a thousand good wishes, drops a few to you in particular and desires I would tell you so. With some difficulty he obtained leave to pursue the Marquis but failed in his attempt to Climb Rank" (*S. C. Hist. and Geneal. Mag.*, VI. 51). See the *Journals*, Feb. 5, 6 (erased entry), 7, 11. Concerning the Chevalier Du Failly, see these *Letters*, vol. II., no. 576, the *Journals*, Feb. 5 (erased entry), and no. 135, *post*. In a group of miscellaneous papers of Henry Laurens possessed by the Library of Congress is a much faded letter from Fleury to President Laurens which is without date, but is probably the letter read in Congress Feb. 6. In the *Correspondence of Henry Laurens*, p. 95, is a joint letter from Fleury and Du Plessis to Laurens Feb. 25, relative to their promotion. At the close of the letter they say, "Comme nôtre lettre pourrait être considérée comme une sorte de pétition pour obtenir une promotion nouvelle, nous declarons que nous ne demandons rien de cette espèce, et sommes plus empressés a meriter les graces qu'à les obtenir". See no. 228, *post*.

[81]¹ Austin, *Life of Elbridge Gerry*, I. 241.

office, the gentleman hinted at in your favour of January the 4th;² and the alarms that have been spread and jealousies that are excited relative to this matter, appear to be calculated rather to answer mischievous than useful purposes; at least, I fear this will be the consequence. It is essentially necessary to the authority of an officer, that those who are under him should have confidence in his abilities, and pride in his character; and certain it is, that those cannot long exist where they are frequently called in question. How then can we account for such groundless rumours at a time when the character of this worthy officer is high in congress, and when there appears to be an intention of the members to support him, but by considering them as the effect of a party spirit, that is dangerous to the cause in which we are engaged? . . . I know not the source of the uneasiness which we are speaking of, but it would not be any ways surprising to me to find the enemy at the bottom of the dispute; and if they did not originate it they will certainly promote it, unless the officers of the army should wisely prevent it. The disputes relative to rank have probably had some share in exciting this spirit; but here I must condemn some of the officers, in opposing a constitutional exercise of the authority of congress. A resolution was after the most mature deliberation entered into in February 1777, to appoint general officers upon three principles, which respected their former rank, their merit and the proportion of troops raised by the states to which they severally belonged. This was necessary to give satisfaction to the states, was considered as a wise and politic measure, and I have reason to believe will be invariably pursued at all events. But what has been the consequence of every appointment of general officers made by congress? If it did not suit the whole army, opposition has taken place, and reduced congress to the necessity of asserting the rights of themselves and their constituents, or consenting to give them up in a manner that would sap the foundation of liberty. I have ever thought that such an opposition has been the effect of inadvertence, and of not recurring to first principles; but the injury which the civil liberties of America derive therefrom is the same as if a premeditated attack had been made against them. It appears to me that the army have generally mistaken notions of honour when they suppose that a foreign officer of great experience cannot be introduced to high rank without disgracing all below him. I have as great prejudices in favour of my countrymen as any person perhaps, on earth, and will readily grant that with the same degree of experience and under similar advantages, no officers whatever

² Following is the passage in Knox's letter to which Gerry alludes:

"When we parted I expected soon to have had the pleasure of some conversation with you, but the movements of the enemy prevented.

"The subjects then started appeared to me of such magnitude and pregnant with such consequences, that I freely confess I wished to have had my mind relieved from some painful apprehensions, which possibly might have been taken up without sufficient information. You then seemed to think the matter which was mentioned improbable and impossible, and it appeared so to me too; but intrigue, misinformation, caprice and unsuccessful efforts combined, may very probably have bad effects on the minds of good men. How far these have been practised you best know. I think from the conversation General G. and we had together, you will be able to recollect enough to have a clue to this paragraph, which may otherwise be obscure." (*Ibid.*, I. 238). See nos. 22, 51, 64, 72, *ante*.

will exceed them in skill and prowess; but can any person suppose that a year or two in the service of the United States will qualify an officer as well as ten or twenty years' service in the armies of Europe? And has not our cause been almost ruined? Does it not at this instant suffer greatly from the want of experienced officers? Under these circumstances then, is it not evident that the honour of an officer, who readily consents to promote the service of his country by giving place to experience, is established, whilst those who oppose this do it at the expense of their reputation?

I know of no promotions of any consequence by congress that have not been made on the purest principles, and a full conviction of merit in the officer appointed: but such are the prejudices of each person in favour of himself, that it rarely happens when he exercises a judgment in his own cause that he can divest himself of partiality in every respect; whence the necessity of decisions in all cases of a legal or public nature by disinterested persons.

82. ELBRIDGE GERRY TO SAMUEL ADAMS.¹

YORK IN PENNSYLVANIA Feby 7. 1778

My dear sir

. . . . the Business of Congress in the winter Season is greatly increased on account of the necessary Reformation, Plans and Preparation for the succeeding Campaign, and at this Time there is half the Number of Members to transact it. few can stand it as well as our Friend Mr. Lovell; he writes Morning Noon and Night, sickens once a Fortnight, and devotes a Day to Sleep, after which, like the Sun from behind a Cloud, he makes his Appearance with his usual Splendor

The Department of the Commissary General of military Stores is now under the Consideration of the Board of War. your Letter relative to Major Ayers, shall be communicated to General Gates, who is very attentive to the Business.²

The Commissary of provisions has made frequent Applications to Congress for their Assistance in conducting the Business of his Department: ³ indeed, We have had little Assistance from his Appointment, neither could it be expected from a better Officer whilst the Regulations prevented him from appointing his Deputies. but you well know from whence this Part of the Plan originated, and for what Purpose it has been obstinately supported. Its Advocates have finally given it up, after distressing the Army, Congress, and the Continent with it for six or eight Months. I wish We may be successful in Measures to correct the Errors, but it is easier to prevent than remedy an Evil.

[82]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² See the *Journals*, Feb. 10, 11; cf. *ibid.*, Nov. 24, 1777. "Major Ayers" was probably Maj. Benjamin Eyre, assistant deputy quartermaster-general.

³ Presumably the commissary-general of purchases, William Buchanan. See the *Journals*, Jan. 6, 9, Feb. 9, and *passim* (index to the *Journals*, Buchanan, Commissary-general of purchases). See also no. 50, *ante*, and nos. 123, 141, 142, *post*.

83. JAMES LOVELL TO JOHN LANGDON.¹

YORK TOWN 8th Feby, 1778.

Dear Sir

Your favor of the 12th of January has at length reached me. . . . Retaliation is another thing you mention. You know where the main clog has been; but he² as well as Congress seems now determined. . . . The Baron whom you mention arrived here two days ago.³ Congress had sent a very complimentary Resolve to Boston which did not get to his hand before he set off from thence. If Genl W— should be able to make use of his talents as a Qr M'r Genl, it would be of eminent service. We have divided the system into 4 parts. 1st. A military genius to perform the scientific parts as laid down in military books. 2d a Forage Master. 3d Commissary for purchasing and regulating horses⁴ and waggons. 4th. Agents for purchasing tents and other military utensils. We have also taken the purchasing part from the hands of the Director General of Hospitals; the Deputy D. G. is to act as Purveyor in consequence of the plans of the D. G. and the Ph: and Surg: Genl conjointly, and the orders of the two last with such other vouchers as they shall direct and report to the Treasury from time to time are to be produced in proof of expenditures.⁵ Rush has resigned, there being a mortal enmity between him and Shippen.⁶ . . .

84. ELIPHALET DYER TO JOSEPH TRUMBULL.¹

YORK-TOWN Feby 8th 1778

Dear Sir

I recieved yours of the 13th Ulmo. in which you mention the decline of your health a bad cold and Jaundicy habit. a decoction of strong soot with the yolk of an egg repeated a few mornings will relieve you of your Jaundice, as I have found by repeated experience, and a long ride not to expose your self to Storms or Night Air is the best relief for a fix'd cold tending to a hectick disorder however you must Consult self on the latter. it gives me much concern that a meer unthought of mistake and Accident should give the Governor or you on his Account so much Sollicitude, as am absolutely Certain there was no design in the direction. the letter was Circular some Assemblys have no upper house. I have often before rectified mistakes of that kind but believe was then Absent or Inattentive but can give the strongest assurance that it was a meer accident; but when an unhappy jealousy prevails there is no wonder of a misconstruction,

[83]¹ Library of Congress, Force Trans., Whipple, p. 471; N. Y. Pub. Lib., Bancroft Coll., Langdon-Elwyn Papers (copy of part).

² Washington? Cf. nos. 41, 44, 47, 56, *ante*.

³ Baron Steuben. See the *Journals*, Jan. 13, 14, and no. 30, note 3, *ante*, no. 103, *post*; also Samuel Adams to [James Lovell] Jan. 10, and to General Gates Jan. 14, in *Writings* (ed. Cushing), IV, 6, 10.

⁴ The transcript has "stores".

⁵ See the *Journals*, Jan. 30, Feb. 5, 6. Cf. no. 98, *post*.

⁶ See nos. 59, 69, *ante*, and no. 187, *post*.

[84]¹ Conn. Hist. Soc., Joseph Trumbull Papers.

but unhappily at this time Many concurrent circumstances tended to Strengthen the suspiccion, but the President has since been directed to assure the Governor how it happened and that the supposed Neglect or affront was purely accidental ² and I am warranted to say there is neither Governor nor President in any of the United States who is held in so much Esteem by Congress as Govr. Trumbull, tho there has been a party in Congress and on some occasions I have no doubt some of his family have suffered by it. Yet it is now gone, the same as to you, tho there has no doubt been some who were Vexed to see the new plan they were so fond of turn out with all the mischievous consequences of which they were foretold, were vex'd and Chagrin'd and ready to Impute the misfortune to any thing and every thing and upon you among the rest rather than their mighty Wisdome and Judgment should be Impeached. is not this Natural? and why then such mighty Stress to be laid on such feeble dispairing efforts of an expiring faction; why again so much alarmed, on your not recieving an Answer from a Body to your letter of exculpation, when Congress as such were entirely satisfied and it is rather unusual to direct answers on such occasions, and when the suspicion if any, arose from Individuals; if the body had passed any Censure most certainly they ought to have taken it of when the Occasion was removed, or they better informed but there had been no Censure from the body. beside the amazing croud of business has prevented attention to many things, as answers to letters and the like, which were rather matters of Complaisance. Congress the Country and Army have suffered sufficiently for the Imprudence of their new regulation, and they are enough sick of it, and if they can possible relieve themselves by new men or measures they are ready to adopt them: they therefore as well as Genll. Gates and board of Warr most ardently wish your Attendance with them; and nothing but your want of health has excused you in my View; for the security of our Country in no measure ought to be Neglected on account of any real or supposed affronts or Injuries whatever; this I must hold, to Vindicate my own conduct as I never should have seen this place, and sacrificed my Intrest, and the Comforts of my family had not I valued my Country and held my self superior to reproach Ingratitude or Calumny. I trust it will be no pleasure to you when I tell you that by the New Commissariate plan and the Ignorance, inattention and sloth of many of those employ'd, our Army has been at times starving, and many advantages over the Enemy lost for want of provisions and at length many of our Army dispersed in the Country and suffered to return home on furlow, and what is worse the most advantageous oppertunities for attacking the Enemy this Winter and driving them out of Philadelphia could not be taken nor a force called in for that purpose for want of Stores and Magazines of Provisions necessary for that purpose, and fear we may be as destitute in the Spring. the flower most certainly is to be had in this Country yet much doubt where a sufficiency of the meat kind can be provided; they hear much of Capt. Wadsworth. the eyes of the publick, the army and Congress, are mostly

² See no. 53, *ante*, nos. 85, 148, 291, *post*.

on him, next to you, as they are told no Inducement will be sufficient to Induce you to undertake again in that Department. I dare say Mr. Wadsworth might have any terms and muddle the plan as he pleased with your advice, if he would undertake, but I dare not assure them he will. I wish I knew.³

85. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
JONATHAN TRUMBULL.¹

9th Feby 1778.

Sir,

. . . . Colo. Dyer has signified to me that the mode of Address by Congress to the General Assembly of Connecticut, conveyed under a flying seal in my Letter of the 23d Decemr. had been interpreted as a slight and given some offence to Your Excellency.² It is at the request of that Gentleman I trouble you with the present explanation. When the paper above mentioned was sent to me I was in extreme pain confined in Bed. I perceived it had escaped Congress in an unusual dress and bespoke a new Channel of Correspondence in almost all the states and that there were also some roughnesses in the Composition which required amendment. I therefore requested a sensible Member of Congress whose sentiments I found to be consonant with my own, to present the piece to the House for a review. this Gentleman, as he informed me, pointed out the objections alluded to, in the House, and proposed a reconsideration, but Congress being deeply engaged in other affairs of great moment declined receiving it, saying in general, the president would send it in a proper manner. under this intimation I judged it proper to pass the Address through Your Excellency's hands in the manner above mentioned, in order that the Contents might be previously known to Your Excellency and the Council.

I am persuaded Sir, there was no design in Congress to overlook Your Excellency and I beg Your Excellency will be assured it is impossible for me to attempt the smallest degree of disrespect towards a Character which I have long held in the highest Esteem. under this declaration I have the honour to subscribe with great truth Sir

Yours etc.

³ Jeremiah Wadsworth, elected commissary-general of purchases Apr. 9. See the *Journals*, Feb. 9, Mar. 30, Apr. 3, 8, 9. Cf. nos. 50, 54, 62, 82, *ante*, and nos. 98, 123, 141, 142, 175, *post*.

Alexander Scammell wrote to Timothy Pickering Feb. 6, "Can you lay any plan to get Trumbull, or such another man, appointed Commissary *vice* the present one?" (*i. e.*, Buchanan; *Life of Pickering*, I. 203). Pickering replied Feb. 17. Among other things he wrote: "The Quartermaster-General's department, too, remains unsettled, and General Mifflin, who knows more about it than anybody, is absent. He went home just before I arrived; disgusted, as I understood from Jonathan Mifflin, at the jealousies entertained of him, at camp and elsewhere, that he was or had been, aiming to remove General Washington, a thing he solemnly disavows" (*ibid.*, p. 205).

[85]¹ Library of Congress, President's Letter-Book, I. 177.

² See nos. 53, 84, *ante*, and no. 98, *post*. Cf. no. 148, *post*.

86. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

YORK TOWN PENNSYLVANIA Feby 10 1778.

Dear Sir,

I had it not in my power to send you the Pay and Rations of a Major General on the Continental Establishment,² until yesterday, tho' I applied to Our Secry Mr. Thompson, soon after receiving Your Excellency's Favour to Mr. Penn and myself; indeed I have been Confined to my room for these 10 days past by a fit of the Gout, which has prevented my Attendance on Congress much against my Inclination. . . .

87. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 10, 11, 1778.]

10. Examined Cloth. Genls. Depy² Considered the Establishmt. of Engineers and agreed to recommend it to Congress agreeable to the Genls. plan. Monsr. De Portail to give a more particular arrangement of the Companies, and of his Assistants³

Wrote to the Comissary of Hides to attend the Committee.⁴

11th. Wrote Genl. Washington on the proposed exchange of Prisoners by Gen. Howe—(No. 16)⁵

Wrote to Congress upon the Canada Expedition (No. 17)⁶

Pass'd proposals for procuring Horse and Saddles for the Cavalry (No. 18)⁷

[86]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; *N. C. State Recs.*, XIII. 37. Addressed, "His Excellency Richard Caswel Esquire Governor and Commander in Chief of the State of North Carolina".

² The information is given in a postscript. See the *Journals*, June 16, 1775, Feb. 16, Apr. 26, June 5, Oct. 7, 1776, Mar. 24, June 17, 1777.

[87]¹ See no. 62, note 1, *ante*.

² Presumably Daniel Kemper, deputy clothier-general at headquarters. A letter from him to Washington Mar. 26, relative to the conduct of his department, is in the Washington Papers. Cf. *Pa. Arch.*, first ser., VI. 33.

³ See nos. 104, 121, *post*.

⁴ The commissary of hides was George Ewing. See the *Journals*, Apr. 21, May 11.

⁵ The letter is no. 88, *post*.

⁶ See the *Journals*, Feb. 16, 23, 24, Mar. 2, 13, and nos. 98, 120, 126, 135, 137, 151, 167, 168, *post*. A slight emendation of the citation in the *Journals*, Feb. 16 (p. 172, note 2), is necessary. The letter found in Papers Cont. Cong., no. 33, f. 117, is a draft of the letter of Feb. 11 to Washington (no. 88, *post*), the original of which is in the Washington Papers. A draft of the letter to Congress referred to in the committee's minutes is found in the volume above mentioned (no. 33, f. 121). The letter sent (which contains the endorsement quoted in the *Journals*) is in Papers Cont. Cong., no. 78, vol. VII., f. 167. The letter must have been written, at least begun, Feb. 7; for the draft, which is in the writing of Gouverneur Morris and without date, originally began thus: "We yesterday did ourselves the honor to write you upon the state of the Commissary Department. This morning the Marquis De Lafayette favored us with a Visit on his way to the Northern Army." This was altered by writing "lately" in place of "yesterday", "since which" in place of "This morning", and inserting "hath" before "favored". The visit of Lafayette was doubtless that of Feb. 7 (see no. 79, *ante*).

⁷ See the *Journals*, Mar. 2, 10, 11, and no. 129, *post*.

88. THE COMMITTEE OF CONFERENCE TO GEORGE WASHINGTON.¹

Sir

MOORE HALL Feby: 11th, 1778.

The travelling is so bad that we wish you wou'd not attempt to meet us, while it continues. We shall employ ourselves in that part of our business which can be done without your personal attendance²

We have been considering General Howe's letter which you was pleased to lay before us yesterday, and seem agreed and confirmed in the opinion that he hath some latent meaning in those parts of it which were then pointed out. We flatter ourselves you will not take it amiss that we express to you our sentiments upon the proposition of a general exchange made, at this time, by General Howe. We think he wou'd not do this, but for very cogent reasons, and altho' we are not able to conjecture what they are with any very strong probability: yet this is clear that he confines his proposed exchange to Officers and Soldiers, and is totally silent as to Citizens. As the latter were expressly comprehended in the original Cartel proposed by himself, and agreed upon between you; and as he has been called upon by Congress, if not by yourself, to explain certain passages in his former letter which you laid before Congress, and explicitly to declare in what light he held the faithful Citizens of these States, who by the fortune of war, or other accident had fallen, or should fall under his power: yet he has never deemed proper as we can learn, to make any reply at all, much less a full and satisfactory answer on that subject. We cannot but think that he affects to consider every such Citizen as a rebel unexchangeable, and amesnable to the Laws of England, and therefore treats them, if possible, with more rigour and cruelty than those whom he is pleased to say, properly fall under the denomination of prisoners of war. Impressed with the manifest injustice of such apprehensions which if well grounded, we deem a breach of his faith plighted in the Cartel, we cannot but think the present a happy opportunity of drawing forth from General Howe the most explicit declarations on a subject of so great importance to every mere Citizen of these States, and making a renewal of the Cartel, the *sine qua non* of an exchange.³

We are Sir

with much esteem and respect

your obedient humble Servants

FRA DANA by Order etc.

His Excellency Genl. Washington

89. HENRY LAURENS TO BARON DE KALB.¹

11th Feby 1778.

Dear General

I have before me the several favours which you have honoured me with under the 1st and 7th Inst. the former imparting your sentiments upon

[88]¹ Library of Congress, Letters to Washington, XCII. 71 (in the writing of Francis Dana); Papers Cont. Cong., no. 33, f. 117 (draft in Dana's hand).

² See no. 62, note 2, and no. 87, *ante*.

³ Cf. the *Journals*, Dec. 6, 8, 1777, Feb. 17, 25, 26, Mar. 18, 1778, and nos. 139, 163, 188, 202, *post*.

[89]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 255.

the propriety of suspending the embarkation of Lieutt. Genl. Burgoyne and his Troops affords me singular satisfaction. Conventions and suspensions are new articles in the American War and perhaps there is not an Instance in History of a General's having so completely betrayed himself the Dupe of his own policy. Mr. Burgoyne's duplicity will be quoted as a precedent by future Writers, while the resentment of Congress will be recorded as an example of sound policy.² In these Ideas and under a consciousness of having passed my own Vote from conviction of the rectitude of the measure, I rest content within and assured that Congress will be vindicated in every disinterested Court in Europe.

I shall have the pleasure to deliver tomorrow Morning a Commission of Lieutt. Colonel to the Chevalier Dubuysson, whose impetuosity had nearly rendered his journey fruitless. a hint from you on this head without intimating the notice I have taken, may be of particular service to a Young Gentleman by leading him to reflect that hurry and urgency, which may be extremely necessary in a quick March, are exceedingly disgusting to a deliberative body of Representatives, particularly so, when the application is for Grace and favor. Congress had not promised Monsr. Dubuysson the present Rank until he should be returning to France. had I been as rapid in presenting your Letter as the Young Gentleman was vehement in his desires, he would have returned a Major, owing to his Minor Judgement.³

I wish you Dear General a good Campaign, that you may Succeed in the intended enterprize, and return with Glory.⁴

90. THOMAS MCKEAN TO GEORGE READ.¹

Sir,

Your favor of the 29th of December did not reach me until the 24th of January, when, duly reflecting upon every circumstance, I thought it my duty to come here, though, I confess, I am almost tired of serving my country so much at my own expense. I left home on [the] 29th of last month, and went into Congress next morning, where I found only nine States represented, and, including myself, but eighteen members, though five, now at the camp, and some others are expected in a few days. I hope General Rodney and Major Van Dyke will come as soon as possible; but don't tell them that I lived in a little Dutch tavern, at an enormous expense, for ten days, before I could get other lodgings, and that I still am on sufferance. . . .

I shall endeavour to procure the account against the State, from the Auditor-General, as soon as possible. The votes of Congress, since January, 1776, printed by Aitken, are not yet come to hand, though they have

² See nos. 6, 12, 13, 21, 30, 31, 42, 52, *ante*.

³ See the *Journals*, Feb. 11 ("Major Buisson"). Laurens's customary notation in the Letter-Book, at the head of each letter, of the mode of conveyance shows that Dubuysson was the bearer of this letter to Kalb.

⁴ The allusion is to the expedition to Canada. See the *Journals*, Feb. 2.

[90]¹ Read, *Life of Read*, p. 298.

been sent out of Philadelphia. I shall send you all that can be got, not knowing to what time they are printed up.

Who can I propose in exchange for the President? Do inform me, if you can think of any one. None occurs to me but Governor Franklin, and hearing a gentleman say that he could do more mischief than the President could do good, and for other reasons, which will readily suggest themselves to you, I have little hope of success from that proposition. I was told the other day that he lodged at widow Jenkins's, along with his *old friends* Robinson and Manlove, and seemed very *happy*; these observations, and many others, from different gentlemen, whenever I name him in private to any member, almost discourage me; however, after I hear from you, I shall attempt to have him released (though I could wish my colleagues to be present and assisting), lest it should be thought that I was indifferent about the event.²

YORK, February 12, 1778.

91. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 12, 13, 1778.]

12. Conferred with Genl. Green abt the Qr. Mastr. Gen. Departmt.²

13. Conferred upon the starving condition of the Army.

Wrote to Colo. Cox (*No. 19*)³

Recd. Lettrs. and Resolutions from Congress respect'g Qr. M'r Gen. Departmt.⁴

Sent Lettr. to Cong: respect'g Canada Expedition and the Qr. M'r Gen. Departmt.⁵

92. WILLIAM ELLERY TO WILLIAM CHURCHILL HOUSTON.¹

YORK TOWN Febr'y. 13th 1778

D'r Sir,

. . . . You, it seems, have leaped out of the frying-pan into the fire of business. What think you of leaping back again? Mr. Rush hath resigned, and the office of Dep: Sec: is now vacant. But you are a parliament man and are immersed in politicks; and perhaps, mounted in the chariot of glory, look down upon so low an office with disregard. Come

² Concerning the exchange of President McKinly of Delaware see nos. 180, 462, *post*; also Read to McKean, Mar. 4, 1778 (*Life of Read*, p. 303), and McKinly to Read, Aug. 29, 1778 (*ibid.*, p. 313). In Henkels, *Catalogue*, no. 1236, item 113 (see no. 149, note 3, *post*), is an extract of a letter from Caesar Rodney to McKean Mar. 9, in one passage of which, adverting to this statement of McKean respecting McKinly, he insists that McKean is in error. A paraphrase of Rodney's statement (with blanks for names) is found in Read's letter of Mar. 4, referred to above. Robinson and Manlove were presumably Thomas Robinson and Boaz Manlove. See Sabine, *Loyalists*, II. 45, 231.

[91]¹ See no. 62, note 1, *ante*.

² A letter to Congress of Feb. 12 relative to the department of the quartermaster-general, which was written by Joseph Reed, is found in Reed, *Life of Reed*, I. 360. It was read in Congress Feb. 16.

³ Col. John Cox. See nos. 110, 115, note 3, *post*; *cf.* *Life of Reed*, I. 364.

⁴ See the *Journals*, Jan. 30, Feb. 5, 7. *Cf.* no. 62, *ante*, and nos. 110, note 5, 116, 118, *post*.

⁵ On the draft of the letter of Feb. 12 is a memorandum by Reed, "Forwarded by express Feb. 13, 1778" (*Papers Cont. Cong.*, no. 33, f. 128).

[92]¹ Hist. Soc. of Pa., Conarroe Coll., I. 12; *Pa. Mag. of Hist. and Biog.*, XL. 486.

then a delegate. I should be exceedingly glad to see you here in any shape.²

We have not taken Rhode Island yet. Inglorious Expedition. We have lost Philadelphia! But this would be nothing if avarice and speculation did not rage irresistibly. The Love of country and public virtue are annihilated. If Diogenes were alive and were to search America with candles, would he find an honest man? I knew an honest man once in office. Believe me to be his Friend

WILLIAM ELLERY.

P. S. Dr. Witherspoon will acquaint you with a Resolve of Congress lately passed, which may give some check to the Shoals of Officers who are rioting on the Spoils of the Publick.³

93. JAMES FORBES TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORK TOWN Feby 13th 1778

Sir

I should have don my self the honour to have wrote you before now, had I any thing worth communicating. This is to inform you that the appointment of Commershall agents in France has been moved for in Congress, in consequence of Mr. Wm. Lee's being appointed, a Commissioner, to the Courts of Vienna and Berlin, and of a Letter from Mr. Robt. Morris, recomending Mr. Jno. Ross, to suckseed his Brother. I put Mr. Joshua Johnson in the nomination, and I believe, had Congress made the appointment, he would have been chosen, but they resolved that the Commissioners in France shoud appoint them, and they are wrote to on the 9th Instt, for that purpose. had I known how to have directed to your Brother, I would have wrote him on the Subject.²

The Committee that went to Camp for reforming the Army is not yet returned, nor have we heard from their for some time, the communication being stopt by the River being impassable. The Demands on Congress for money is immense it cant be emitted fast enuff, and I apprehend the demand, will encrease in proportion to the Emission

Commissioners appointed in this State, and the Board of War, are empowered to purchase 50,000 Bbbs Flour,³ and all the Pork and Beef they can get, and lay it up in Magazeens, for a supply, in case the Com-

² Jacob Rush, deputy secretary of Congress, resigned Jan. 28. Houston did not succeed him, although he did hold that office in 1785-1786. Meanwhile he was chosen a delegate to Congress in May, 1779, serving until the end of 1781, and again in 1784. See no. 59, *ante*.

³ See the *Journals*, Feb. 3.

[93]¹ Md. Hist. Soc., Red Book, X. 65; *Arch. of Md.*, XVI. 496.

² See the *Journals*, Feb. 9; *cf.* no. 94, *post*. The letter from the committee of commerce (signed by William Ellery, James Forbes, and Francis Lewis) to the commissioners at Paris, Feb. 9, is in Am. Phil. Soc., Franklin Papers, VIII. 99, LXXV. 46 (duplicate).

³ The *Journals*, Jan. 15 and Feb. 2, say 30,000. The resolutions of Feb. 12 relative to laying up magazines of flour principally stand erased in the *Journals*, a substitute measure having been adopted Feb. 14. See the *Journals*, Feb. 5, 12, 14, 17; *cf.* nos. 97, 108, 111, 115, *post*.

missary falls short in his purchases which there is great reason to fear. There is very great complaints of his department from every quarter. Congress have had no accounts from Europe since I have been here. Ten States only, are represented in Congress, and one half of them, by one member only. Massachusetts, New York and Virginia have no representation. I shall do myself the honour of writing you when any thing offers worth communicating and am very respectfully Sir

94. JOHN HENRY, JR., TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORK TOWN Febyry 14th 1778.

Sir

Congress a Day or two ago, took up the appointment of commercial Agents, and concluded to refer the same to the commissioners in France. Mr. Ross and your Brother were in nomination. If you have an opportunity it would be well to write to Mr. Johnson. I do not at present know in what part of France he resides, possibly upon inquiry, I may be informed. At this time I do not know of an opportunity, but as soon as there is one I shall write to him myself.² . . .

The state of our Army is critical. Four Month pay, if not more are due them, and no Money in the Treasury to satisfy their just and reasonable Demands. The press is at work, and attended with all vigilance and care, and has been for some time past; near a million a week is now made, and yet our Demands are greater then we can answer. They come in from all parts of the Continent. The Avarice of our people and the extravagant prices of all commodities, joined with the imperfect management of our Affairs, would expend the mines of Chili and Peru.

For the want of pay, of Cloths, and provisions our Army is decreasing every hour, not by one or two at a time, but from seven to twelve. By a Letter from Col. Smith³ he tells me some of the troops have been eight Days at different Times without meat, and only a bare allowance of flour. The State of Pennsylvania has passed a Law appointing certain commissioners in every county of the State, with full power to purchase or to seize at stated prices all provisions necessary for the Army. These men are subject to the orders of Congress as to the quantity of each article of provisions to be purchased or seized. Besides this the Board of War have Authority from Congress to purchase twenty thousand Barrels of flour and other provisions necessary for the Army. From these resources I expect fifty thousand Barrels of flour, and quantities of other provisions, but to what amount is uncertain.⁴ Our commissary Genl. does not at this

[94]¹ Md. Hist. Soc., Red Book, V. 60; *Arch. of Md.*, XVI. 499; Scharf, *Hist. of Md.*, II. 343 (extract).

² See no. 93, *ante*.

³ Lieut.-Col. Samuel Smith. Cf. Washington to Governor Clinton Feb. 16, *Writings* (ed. Sparks), V. 238, and to Robert L. Hooper, jr., Jonathan Mifflin, jr., and Nathaniel Falconer, Feb. 15, in *Pa. Arch.*, first ser., VI. 263; also no. 108, *post*.

⁴ See no. 93, *ante*.

time as I am informed, know that he has five thousand Barrels of pork or Beef. Upon such foundations the existance of our Army depends. At whose door this prospect of ruin lies, time will discover. . . .

The Committee at camp I understand will recommend measures for filling the Army, which I expect will not be very agreeable to our people.

N. Carolina has agreed only to part of the Confederation the other States I believe have done nothing with it as yet.

Virginia New York and Massachusetts Bay is unrepresented.

95. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 14, 16, 1778.]

14. Wrote to Gov. Livingston respect[ing] Waggons to transport Provisions and the mode of obtaining Horses to remount the Cavalry (No. 20.)—sent them forward 9 o'Clock²

Conferred with Genl. Woodford and others and Stated their Case (No. 21)³

Wrote to Congress abt. Genl. Varnum.⁴

16. Wrote to Govr. Johnson on the Article of Provisions a similar Letter to that sent to Govr. Livingston⁵

Conferred with Colo. Bayard⁶

96. THE COMMITTEE OF CONFERENCE TO THE GOVERNOR OF MARYLAND (THOMAS JOHNSON, JR.).¹

CAMP AT THE VALLEY FORGE 16th Feby 1778.

Sir

We have the Honor to compose a Committee of Congress appointed to confer with the General upon the Affairs of the Army and with him to concert measures for opening the Campaign with Vigor and Activity. During the Progress of this important Business the critical situation of the Army on the score of Provisions hath filled our minds with Apprehension and Alarm. fed by daily supplies and even those uncertain we have to fear a total Want. Some Brigades have not tasted Flesh in four Days and the Evil great as it is seems rather to increase than diminish. The Commissaries inform us that they have not only met with great Difficulties in purchasing Provisions in your State but that they cannot even transport what they have purchased for the want of Waggons and

[95]¹ See no. 62, note 1, *ante*.

² The letter to Governor Livingston has not been found. See note 5, below.

³ See nos. 99, note 2, 104, 178, *post*.

⁴ A letter of Feb. 14 was read in Congress Feb. 19. It discussed in particular the distresses of the army, but also mentioned the want of a general officer in Rhode Island and recommended General Varnum for the post. In *Writings of Washington* (ed. Ford), VI. 381 n., (ed. Sparks), V. 240 n., is an extract of a letter from Varnum to General Greene, Feb. 12, portraying the conditions in the army.

⁵ The letter is no. 96, *post*. See also a letter from Dana to Gerry, Feb. 16, on conditions in the army (*Life of Gerry*, I. 245).

⁶ Presumably Col. John Bayard. The conference was probably on the subject of clothing. Cf. *Pa. Arch.*, first ser., VI. 61, 75, 189.

[96]¹ *Arch. of Md.*, XVI. 503; Md. Hist. Soc., Red Book, I. 11.

the like. Whether these apologies are justly founded we will not presume to say but this is certain that upon an early Transportation of large Quantities of Provisions to this Camp from the State you preside over the very Existence of our Army depends. Let us then intreat you Sir to exert the full Influence of your Abilities to forward such supplies as may have been already bought up and also to obtain by such measures as you may think most adequate to that Purpose as much as can be spared by the Inhabitants from their own particular Consumption²

97. DANIEL ROBERDEAU TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, Feb'y 17th, 1778.

Sir,

My Colleague, Mr. James Smith, obtained a warrant for 300,000 Dollars, to be remitted to you for the purchase of Provisions, reserving, as he informs me 52,000, which he has put into the hands of Commissioners for this County and Cumberland. The low state of the Treasury has occasioned since a division of the 300,000 D's, one half to the Board of War and Ordinance and the other half for this State, both being for the same purposes. the Bal'e of your moiety, viz., 98,000 will I expect, be ready this day, to go under the care of some one of the members of Assembly who may be passing thro. As Mr. Smith undertook this business in my absence, being at the Treasury, when the Grant obtained, I shall leave the whole to his management.² I shall urge forward the supplies of Cash as you shall from time to time advise to be necessary; and I beseech Council not to put too much confidence in any Servant under them, lest some wheel in the machine should rust or clog, to the injury of the cause, which now labours in the article of provisions. The exuberant care of the late board of war in providing Superintendants over the Commissioners in the respective Counties, and the delececy of their choice, has occasioned a good deal of perplexity. Last evening a modest request came before Congress to indemnify the Superintendants in violation of the provision act, in having given more than the stipulated prices, this is refered with the depositions concerning Mr. Hooper to a Committee.³ You will see by the resolve of last Saturday that a new System has been contrived

² This letter accompanied a letter of the same date from General Washington to Governor Johnson, on the same subject (*ibid.*, p. 501). Similar letters were sent to Governor Clinton of New York: from Washington Feb. 16 (*Writings*, ed. Ford, VI. 379, ed. Sparks, V. 238), from the committee Feb. 17 (*Clinton Papers*, II. 766). See also Washington's address to the inhabitants of New Jersey, Pennsylvania, Delaware, Maryland, and Virginia Feb. 18 (*Writings*, ed. Ford, VI. 382). The address is also in *Arch. of Md.*, XVI. 513, together with an explanatory letter, Feb. 19 (*ibid.*, p. 512). Cf. nos. 95, *ante*, 99, *post*. This letter was signed by Dana, Folsom, Harvie, and Morris.

[97]¹ Pa. State Lib., P. P. XLV. 64; *Pa. Arch.*, first ser., VI. 273.

² See the *Journals*, Feb. 12, and *Pa. Arch.*, first ser., VI. 269, 270. The original of the letter of James Smith at p. 269 (Feb. 16) is in the John Carter Brown Library.

³ The letter of R. L. Hooper presented by the board of war Feb. 16. See, further, the *Journals*, Feb. 17, 21, 25, Mar. 10, 20, Apr. 17; also *Pa. Arch.*, first ser., VI. 177, 178, 234, 240, 241, 256, 269, 270, 272, 276, 278, 279, 281, 284, 289, 292, 296, 303-315, 329, 333, 338, 377. Cf. no. 94, note 3, *ante*, and nos. 99, 108, III, 115, *post*.

to accommodate the appointment of Superintendants to the late law of the State, and to prevent any interference. Mr. Smith informs me he will transmit the System which prevents me.⁴ . . .

98. ELIPHALET DYER TO WILLIAM WILLIAMS.¹

YORK TOWN Feby 17, 1778

Dear Sir,

. . . I hope the Governor before this time is somewhat pacified and his jealousies removed, as all was mere accident without design or the least intention of so much as neglect.² I am very anxious for Mr. Trumbull on account of his ill state of health tho I am glad to find his resentments in some measure abated and that if his health permits he will attend the board.³ His presence there is much desired but it seems Providence denies us his help when to appearance it is most wanted. The Commissary and Qtr Master department is in a most ruinous state, but on report of board of War the qtr master department is divided up into three or four branches which is agreed to there is now the military part which requires a person of skill and abilities in that way, a forrage master, part to procure forrage another for waggons and another to collect Tent[s] warlike stores and the like and we are now looking out for persons proper to head each.⁴ Congress are quite sick and discouraged on their late plan in the Commissary Department and of the person employed in the execution and we have lately received a letter from the Genll. and other Genll. Officers recommending Coll. Wadsworth as the only Gentn. they can think of whose abilities and exertions can under Providence relieve us, and tho Congress have not yet dismissed Buc——n yet they have unanimously sent off an express to Coll. Wadsworth to come forward immediately to Congress;⁵ and dare say if he comes he may have almost his own plan and terms if he will only undertake as they entertain the highest opinion of his abilities and think him the only person next to Mr. Trumbull who can effect their purpose I hope he will not fail to come forward soon he will be well rewarded I trust for his trouble even if he should not undertake but hope he will as I know he loves his country and is zealous in her cause. Why in the name of common sense could you the most averse to Frenchmen after we had been plagued beyond measure to send one the most insignificant of all upon us and recommend him to me who could not speak a word of French nor he of English. I received the letter and that was all and sent him to Mr. Lovell but he can have no birth and seems to have no claims or any thing or quality to recommend him. You doubtless before this will have various rumor[s] of a Canada expedition

⁴ The measures adopted Feb. 14 in place of those of Feb. 12. Cf. no. 93, *ante*.

[98]¹ Harvard Univ. Lib., Sparks MSS., LVII. 359.

² See nos. 53, 84, 85, *ante*; cf. nos. 148, 291, *post*.

³ See nos. 14, 53, *ante*, and no. 101, *post*.

⁴ See the *Journals*, Jan. 30, Feb. 5, 20, 21, Mar. 2; cf. nos. 50, 51, 83, 84, *ante*, and nos. 99, 108, 110, *post*.

⁵ See the *Journals*, Feb. 9, and no. 84, *ante*. Jeremiah Wadsworth was elected commissary-general of purchases in place of William Buchanan Apr. 9. Cf. nos. 123, 141, 142, 175, *post*.

and may wonder among our many wants we should undertake this wild plan.⁶ The truth is Genll. Gates had laid the plan and made every preparation for Genll. Starks with a party under him at the proper season to make an irruption into Canada as his accounts were the garrisons at St. Johns and Chamblee were very weak, the Canadians highly disaffected to the Britons, large stores for the Indians in Montreal and that by a sudden push they might soon fall into our hands and if not we might burn or destroy their navigation on the lake, which would entirely prevent the enemy from annoying us from that quarter for a year or two beside the report of our forming a descent on Canada again would reach the Court in Great Britain and must perplex their counsels in carrying on the war for the ensuing year and would divide their forces as they would undoubtedly send a considerable part to Canada. We imaginé it will have that effect even if we do not succeed and we expect our forces to return again before the lake breaks up and will be ready to give their assistance on the North River. There is it is true a considerable number of French Officers gone that way viz Marq: Fiate,⁷ Genll. Conway I believe Baron Kalb Young Fleury and several others of spirit to convince the French in Canada that France is really engaged on the side of America which may prevent their joining or giving any assistance to the few British troops now in Canada. . . .

99. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 17, 18, 1778.]

17. Submitted State of the Case of Genls. Muhlenbirgh, Weedon, Woodford and Scott relating to Rank to a Board of Genl. Officers.²

Wrote to Gov. Clinton for aid in procur'g or transport'g Provision.³

Recd. from the Genl. Copies of the Instruct. to certain Superintendants for the purchasing Flour, and other papers relative to that business. Referred for Consideration.⁴

⁶ See no. 46, note 5, *ante*.

⁷ The Marquis de Lafayette.

[99]¹ See no. 62, note 1, *ante*.

² See nos. 70, 95, *ante*, 104, *post*. The committee's "State of the Case of Brigr. Genls. Mulenbergh, Weedon, Woodford and Scott, with their Claims of Rank", with the date Mar. 2, is in Papers Cont. Cong., no. 33, f. 213. Cf. Fitzpatrick, *Calendar of the Washington Papers*, II. 561. In a letter to the committee, Mar. 1, Washington discussed the cases of Woodford, Weedon, and Scott, particularly (Papers Cont. Cong., no. 33, f. 209; draft in Washington Papers); and the board of general officers made their report on the question Mar. 4 (Papers Cont. Cong., no. 152, vol. V., f. 369). Washington transmitted this report to Congress Mar. 12, and took action upon the matter Mar. 19 (see the *Journals*). Meanwhile (Feb. 19) Woodford had offered to Washington his resignation (Washington Papers). On Mar. 30 Weedon indicated his purpose to resign and sent his resignation to Washington Apr. 13 (*ibid.*). On Apr. 10 Muhlenberg also spoke of resigning (*ibid.*). He had made a statement of his case to the committee of conference Mar. 7 (Papers Cont. Cong., no. 33, f. 217). See also Washington to the President of Congress Apr. 10 (*Writings*, ed. Ford, VI. 461, ed. Sparks, V. 311). There were numerous other letters between Washington and these officers, which may readily be found by means of Fitzpatrick, *Calendar of the Correspondence of Washington with the Officers*. Cf. nos. 178, 495, *post*.

³ See no. 96, note 2, *ante*.

⁴ See the minute of Feb. 18, and note 5, below.

18. Took into cons. the above papers and reported agt. the Contract as unnecessary and unreasonable and exorbitant—Genl. not present.⁵

100. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN 18th Febr'y 1778

My Dear,

I Arrived here the 15th Well after having been detained about Two Days by the Susqhennah . . . I am now with Mr. Huntington at a publick House well and in comfortable Circumstances. We hope soon to get into private Lodgings, but We do not know where and find that they are not to be had but with the greatest Difficulty and Expence the latter is so great that I understand that a single Man exclusive of Horskeeping cannot probably live under at least ten pounds per Week. Every thing here bears an enormous price. The Town is much more pleasant than Baltimore but publick and private Virtue I suppose is much the same here as there.

Govr. Clinton is impowered to secure the North River which has been totally neglected. Genl. Putnam² will doubtless be soon ordered to join the Main Army and Genl. McDougall will probably Command on that Station. An Order has gone to the States requesting them to fill up their Battalions—Measures taken to support a large Force in the spring.³ . . .

101. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
JOSEPH TRUMBULL.¹

YORK TOWN 19th Febr'y. 1778.

Sir,

I am directed by Congress to inform you that in expectation of your recovering health and strength and being enabled thereby to attend the Duties of your appointment at the Board of War in a short time, no other appointment will be made on account of the delay which shall be unavoidable on your part.²

⁵ This probably refers to the instructions and proceedings in pursuance of the resolve of Congress Jan. 15, relative to laying up magazines of flour. A principal group of papers pertaining to the matter are in *Pa. Arch.*, first ser., VI. 303-314. The instructions from the board of war Jan. 31 to the superintendents are *ibid.*, p. 307. Because of confusion in carrying out this measure in conjunction with the agents of Pennsylvania, Congress reconsidered the question Feb. 12, and on Feb. 14 passed additional resolutions. *Cf.* the letter of the board of war to President Wharton Feb. 20 (*ibid.*, p. 281). The contract referred to is probably the terms set forth in letters of the superintendents (Hooper, Falconer, and Mifflin) Feb. 11, 12, 14 (*ibid.*, pp. 310-313). This matter had already been brought before Congress Feb. 16, through a letter from the board of war, and the action of the superintendents condemned in a resolution of Feb. 17. *Cf.* no. 97, *ante*, and nos. 104, 108, *post*.

[100]¹ Conn. Hist. Soc., Oliver Wolcott Papers, vol. II., no. 47.

² *Cf.* nos. 102, 126, *post*.

³ See the *Journals*, Feb. 26.

[101]¹ Conn. State Lib., Joseph Trumbull Papers, no. 190.

² See the *Journals*, Feb. 16. *Cf.* no. 98, *ante*, and no. 196, *post*.

102. JOHN PENN TO ROBERT R. LIVINGSTON.¹

YORKTOWN Feby 19th 1778.

. . . . Your Govt is invested with all the powers that General Gates had for securing the pass on the North River, and is requested by Congress, to take effectual means to have that important service done as soon as possible.² General Putnam will be removed from the command he now holds. Will not General Parsons do under General Clinton for some time:³

103. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
GEORGE WASHINGTON.¹

19th Feby 1778.

Sir,

. . . . This will be delivered to Your Excellency by the Baron Stüben who proceeds to the Army with the Rank of Captain, granted by a Brevet Commission at the Barrons special Instance in order to guard against inconveniences which might attend him, if he should without any Commission in his pocket be made a prisoner.

Upon the arrival of this illustrious stranger at York Town, Congress ordered a Committee consisting of Mr. Wetherspoon Mr. McKean Mr. F. L. Lee and Mr. Henry to wait upon and confer with him to pay the necessary Compliments on his appearance in America and to learn explicitly his expectations from Congress, and the Committee were directed to deliver me the substance of their conference in writing, to be transmitted for Your Excellency's information. All that I have received or know on this head will be seen on an Inclosed paper marked Committees conference with Baron Stüben to which I beg leave to refer your Excellency.

[P. S.] The Baron declines the Commission above mentioned or any other for the present ²

104. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 19, 20, 1778.]

19. Mr. Harvey left the Committee ²

[102]¹ N. Y. Pub. Lib., Bancroft Coll., Livingston Papers, II. 99 (copy of part).

² See the *Journals*, Feb. 18.

³ Cf. no. 100, *ante*, and no. 126, *post*.

[103]¹ Library of Congress, President's Letter-Book, I. 190.

² See the *Journals*, Jan. 13, 14, Feb. 18, and nos. 30, note 3, 83, *ante*; also Washington's remarks, Feb. 27, upon Steuben's arrival in camp (*Writings*, ed. Ford, VI. 385), and John Laurens's letters of Feb. 28 and Mar. 9 (*Army Correspondence*, pp. 131, 134). Steuben was appointed inspector-general May 5. See Washington's letter to Congress, Apr. 30 (*Writings*, ed. Ford, VI. 504). Washington's letters are also in *Writings* (ed. Sparks), V. 243, 347.

[104]¹ See no. 62, note 1, *ante*.

² Harvie probably returned forthwith to Congress. He had, at all events, resumed his seat by Feb. 26. Whether he returned for the purpose of furthering the measures advocated by the committee or for some other reason is nowhere intimated. Apparently on the very day on which he left camp a letter was addressed to him by Gouverneur Morris on behalf of the committee, an extract of which was read in Congress Mar. 3. See also the *Journals*, Mar. 9, 11. The letter is in Papers Cont. Cong., no. 78, vol. XV. 313.

Settled the order of promotion as follows

Promotion shall be *regimental* to the rank of Captain inclusively. From that rank to that of Brigadiers inclusively, to be in the line of the *State*. Promotion from that rank, in the line of the army, *at large*.³

The Genl. laid before the Committee, Duportail recommendation of Capt. de Murman⁴ for an Engineer with the Rank of Major—referr'd. Colonels power of granting Furloes—

The Article of War touching Capital Offences, weak or [as?] 100 Lashes only insufficient.⁵

Mr. Lawrence Judge Advocate's letter laid by the Genl. before the Committee, on the subject of the articles of war.⁶

Consid'n of Marquis Fayette's Proposition respect'g the Marquis de la Tour de pin and agreed to write a civil [letter] declining his Offers and Service.⁷

20. Recd. Letters from Col. Mifflin, and Young Waggon Master Genl. to Col. Lutterlogh on Waggon⁸—Also from Capt. Selin⁹ Command[ing] Officer of Armands Corps requesting Directions respect[ing] it.—Re-ferr'd to the General.

Wrote Blane D'y Com'y Genl. of Purchs. respecting the purchase of Fish in Maryland—and Lettr. to Govr. Johnson introduc'g him. (No. 22.)¹⁰

105. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO FRANCIS DANA.¹

Sir,

20th Febr'y 1778

I had the honour of addressing you on a subject of high importance the 7th Inst. by Messenger Barry, who returned without a Line from

³ See the *Journals*, May 27 (including the report found in an appendix, p. 1269), Nov. 24, 1778. Cf. the cases of Woodford, Muhlenberg, Scott, and Weedon, no. 99, note 2, *ante*; also those of Lincoln and others, no. 70, *ante*. See also no. 178, note 2, *post*.

⁴ Jean Bernard de Murnand. Duportail's recommendation of him is in the Washington Papers (under the date Feb. 23). See the minute of Mar. 2 (no. 121, *post*); also the *Journals*, Jan. 13, 1779, Sept. 15, 1783, Feb. 3, 1784. Other facts may be gleaned from the Washington Papers (see *Calendar*). A brief record of his service is in Heitman, *Hist. Reg.* ("Murnan, John Barnard de").

⁵ The entry as first written read, "weak or [as?] nothing—Corporal Punishment to be introduced such as whipping".

⁶ The letter of John Laurance, dated Feb. 5, is in the Washington Papers.

⁷ The Marquis de la Tour du Pin de Montauban. See no. 27, *ante*.

⁸ Col. Jonathan Mifflin was one of the superintendents appointed by the board of war in pursuance of the resolution of Congress Jan. 15. See no. 99, note 5, *ante*, and *Pa. Arch.*, first ser., VI. 235, 240. James Young was wagonmaster-general of Pennsylvania. See especially *ibid.*, pp. 276, 282, 289, 298. A letter from Lutterloh to Washington Feb. 17 (Washington Papers) mentions a conference with Blaine on the subject of wagons, and the consequent directions to Young.

⁹ Capt. Antoni Selin. See Heitman, *Hist. Reg.* A return of the commissioned officers of Armand's corps Aug. 28, 1778, made by Selin, is in the Washington Papers. The signature there is "Antoni"; but in a document of May 29, 1783 (*ibid.*), it is "Anthony".

¹⁰ A draft of the letter to Blaine is in Papers Cont. Cong., no. 33, f. 159. Two letters from Blaine to Dana Feb. 20, one on the subject of wheat and flour, the other concerning meat, etc., are *ibid.*, pp. 161, 167.

The committee also wrote to Congress Feb. 20, by the hand of Gouverneur Morris, suggesting the employment of Indians in the army. The letter is in Reed, *Life of Reed*, I. 418. See the *Journals*, Feb. 26, Mar. 4; also no. 121, note 3, *post*.

[105]¹ Library of Congress, President's Letter-Book, I. 193.

you nor have you touched on the Quarter Masters department in your favor of the 14th hence several Members of Congress entertained suspicions of the miscarriage of my Letter and therefore moved the House to the Act of this date which you will receive inclosed in this, desiring you will by the return of the present Messenger nominate proper persons to fill the Quarter Masters department, conformable to the plan adopted.²

106. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
WILLIAM HEATH.¹

D'r Sir

YORK TOWN 20th Feby 1778

. . . . The Inclosed piece of Paper which I writ in Congress this Evening and slipped into the hand of a Member of the Treasury Board will shew you Sir, that I have not been unmindful of your Calls for Money. the subjoined answer is all I am authorized to say on that head.² I shall persevere in applications and I hope you will find means for subsistence until you receive the promised supply.

107. JONATHAN BAYARD SMITH TO JOSEPH REED.¹

Sir,

LANCASTER Feb: 21st 1778.

Yours of 8th met me at this place where I have been very much indisposed with a severe cold. In conformity to your request, I wrote to York town concerning any letters for you, and directed them to be sent down. Tomorrow, I expect, I shall go over myself.

It gave me real pleasure to find your sentiments on some important subjects so perfectly coincide with my own.² In many instances I have dreaded the effects of measures, tho' at the same time a principle of charity, and a confidence in the zealous attachment of those who favored them, almost forbid any suspicions of undue motives. The Generals conduct on occasions truly affecting to a man[']s honor, evinces how much more infinitely he prefers the good of his country to any personal considerations. If in any instances Congress has seemed to favor an adverse party, it ought not to be resolved into a design of injuring him; a concur-

² See the Journals, Feb. 7, 20. Dana was chairman of the committee then at Washington's headquarters (see no. 62, note 2, *ante*), and this letter was addressed to him at Valley Forge. For the plan of the quartermaster-general's department see the Journals, Jan. 30, Feb. 5, Mar. 2; cf. no. 110, *post*. Concerning the committee's letter of Feb. 14, see no. 95, *ante*.

[106]¹ Mass. Hist. Soc., Heath Papers, VIII. 145; Library of Congress, President's Letter-Book, I. 194.

² Accompanying this letter, in the Heath Papers, is a note in the writing of Laurens, entreating gentlemen of the treasury what he shall advise General Heath. On the same sheet is a reply in the writing of Elbridge Gerry, stating that the money will be sent next week unless accident prevents. See no. 42, *ante*, Heath replied to this letter Mar. 10. See no. 171, *post*.

[107]¹ N. Y. Hist. Soc., MSS. of Joseph Reed, IV.

² Reed's letter of Feb. 8, to which Smith is replying, has not been found. There is, however (*Pa. Arch.*, first ser., VI. 218; Reed, *Life of Reed*, I. 358), a letter from Reed to President Wharton, Feb. 1, concerning conditions in the army, and one on the same subject from the committee at camp, Feb. 12, (read in Congress Feb. 16), which was written by Reed (*ibid.*, p. 360; cf. no. 91, *ante*). See no. 115, *post*.

rence of untoward circumstances have impelled to those steps which appear most exceptionable, and the tendency of which I foresaw and dreaded. If an individual or two are unhappily under the influence of an undue impression, the effects, it is to be hoped, will be very circumscribed, and the evil will carry in itself its own remedy. At the same time, something should be done to prevent the body of the people, especially of this state, losing their confidence in the Commander in chief. Rectifying the conduct of the different departments; and putting an end to the impositions, and irregularities of some of the agents, would do much towards accomplishing this important end. If it were possible to avoid *seizures* and acts of force except in particular cases many disaffected persons, more of the indetermined, and all real whigs would be with us. By the present system of conduct, we suffer a fearful encrease of dissaffection.

You have much to do, and however anxiously I wish to have your aid and council in Congress, yet I cannot wish you from your present post 'till the important business shall be *well* done. This will require time and patience; nor is it improbable that new business will present itself every day.

As I rise from my bed to embrace an opportunity by Colo. Bayards³ boy; and now feel myself worse, I must refer myself to another opportunity of being more full on several subjects. In general you may depend on my conduct being such in Congress, as considering my abilities, such sentiments as yours ought to produce. Inclosed you have a copy of Abingdons pamphlet which perhaps you have not seen.⁴

I am D'r Sir with great respect

Yr. v h st.

J B SMITH

108. DANIEL ROBERDEAU TO THE SPEAKER OF THE PENNSYLVANIA HOUSE OF REPRESENTATIVES (JAMES McLENE).¹

YORK TOWN, Feb'y 21st, 1778.

Sir,

I have the honor to address my Constituants the Representatives of this State now assembled, on Subjects the most distressing and alarming, the deficiencies in the Commissaries and Quartermasters departments, which threaten the dispersion of our army and all the horrid train of Evils consequent to this State more immediately, and to the common cause more general in its baneful influence. The Letters and resolves of Congress ordered to be forwarded, makes a particular discant on the distresses of our army unnecessary from me. I have only to assure the Hon'ble House that under God the Salvation of our Cause now depends on you, as from your Situation timely supplies of provisions, especially meat, of forage and Waggon, and *immediate* conveyance can only be expected,

³ Presumably Col. John Bayard. See no. 95, *ante*.

⁴ See nos. 330, 335, note 3, *post*.

[108]¹ Pa. State Lib., P. P. XLVI. 5; *Pa. Arch.*, first ser., VI. 295.

and without the most vigorous exertions you may depend the army will disperse, nothing but indispensable duty would extort a Secret which might by being divulged, prove ruinous; therefore what is my duty, is equally the duty of your Hon'ble House, now the fact is disclosed, to impose the most inviolable restraint on yourselves, that our Enemies may not triumph in our Disgrace. Congress will begrudge no expence attending the execution of your orders, in dependence on which is now the whole trust of Congress for an immediate supply, or in other words, for preventing the most direful distress. It would be impertinent in me to attempt to enforce a Subject so important on your Hon'ble House.² Congress have displaced Officers who infringed the Law of the State respecting the prices of Articles;³ to this Enemies will attribute the Evils we should deprecate, but our cause does not depend on the weak efforts of a few individuals, much less on any restless spirits among us who probably, in the Struggle, mean to overset the freedom of this State. Your endeavours, I trust, will be succeeded.

I am most respectfully, Sir,

Yr most obt and very humb. Servt.

DAN'L ROBERDEAU.

P. S. A moments delay may be our ruin, which must apologize for my hasty scrawl, which I have not time to copy or correct.

109. THE COMMERCIAL COMMITTEE TO ROBERT MORRIS.¹

Commercial Committee

YORK Feby 21 1778

Sir

We acknowledge the Receipt of your favours of the 7th 8th 12th and 17th instant.

In answer to that of the 7th respecting our misterious commerce we laid it before Congress together with Monsr Hortalez's Letters (one of which was a highly finished Political performance) who have added two members to the Commercial Committee to take the same into consideration. They will enter upon the business this afternoon, and when Congress shall have determined upon this important matter, we will give you the Result.² . . . Congress have ordered General Hand to send Provisions to the Arkansaws.

In answer to the 8th would observe that we think Mr. Duer would have been very illy employed in telling you anything that might have passed in Congress in which you were concerned, especially we think him

² See the *Journals*, Feb. 21 (p. 189). Washington's letter to Robert L. Hooper, *et al.*, Feb. 15, is in *Pa. Arch.* first ser., VI. 263; an extract of that from Duer to F. L. Lee, Feb. 19, is *ibid.*, p. 276. See also Laurens to Wharton, Feb. 21, *ibid.*, p. 284. The original of Laurens's letter is in N. Y. Pub. Lib., Misc. MSS., Laurens. Cf. no. 94, *ante*.

³ See no. 93, *ante*, and no. III, *post*.

[109]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia.

² See the *Journals*, Feb. 20, 23, and *passim* (index, Francy, Hortales and Co., Beaumarchais). Cf. nos. 133, 186, 240, 279, 281, 437, *post*.

highly culpable in representing to you that the Commercial Committee had complained to Congress that their not having the Books in their possession was a grievance to them; because it was a gross misrepresentation, Messrs Forbes and Ellery who were the only members of the Commercial Committee then present, laid before Congress General Hand's Letter etc. respecting the *Rattle Trap*.³ Some of the Members were dissatisfied with that undertaking and asked a Multitude of questions about it. The Instructions given to Captain Willing were read, but still they wanted more light, when accidentally it was mentioned that the Books and Papers of the Secret Committee were in your hands. This occasioned a Conversation about them, which, if we could, we should think it not worth our while to relate. Let it suffice that so far from complaining against you on account of the Books, the Members of the Committee were for your retaining them till they should be settled. We laid this Letter before Congress who desired us to inform you that they would have you still keep the Books in your possession and settle them as soon as you could.⁴

We have asked your advice frequently and freely and have as often and as freely received it and shall continue to trouble you while we remain of the Commercial Committee (which we hope for reasons we have already mentioned to you will not be long)⁵ whenever we find ourselves embarrassed. In answer to yours of the 12th we leave the disposition of the Indies entirely to you.

Yours of the 17th is now before Congress and will be answered in due Time.

We have the Honor to be Sir

Your obedt Hble Servants

FRA. LEWIS

WILLIAM ELLERY

The Hon'ble

Robert Morris Esqr.

110. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 22-25, 1778.]

22. Recd. Presidts. letter dated 20th.²

23. Recd. Do. dated 21st.³

Conferred with Colo. Cox and Genl. Green⁴

³ See the *Journals*, Feb. 19. The *Rattletrap* was an armed boat in command of Capt. James Willing. Concerning the expedition under his command, see these *Letters*, vol. II., no. 749 A, also the *Journals*, Jan. 31, Oct. 10, 31, Dec. 14, 1778, Jan. 12, 14, Mar. 8, Apr. 3, May 21, 1779, and no. 172, note 2, *post*. In Rivington's *Royal Gazette*, July 4, 1778, is the text of an agreement, dated at Natches District, Feb. 21, 1778, between Willing and a committee appointed to adjust matters with him. In the issue of Sept. 22, 1779, is a statement of Thomas Newman relative to acts of Willing Feb. 12, 1778.

⁴ *Cf.* no. 74, *ante*. See also a remark of Henry Laurens, found under May 15, 1779, in vol. IV.

⁵ A plan to establish a board of commerce consisting of others than members of Congress seems to have been under discussion about this time. See nos. 199, 274, 471, 505, 602, 603, *post*. *Cf.* vol. II., nos. 272, 273, 298.

[110]¹ See no. 62, note 1, *ante*.

² The letter is no. 105, *ante*.

³ The President's letter of Feb. 21 transmitted the authorization of that date to the committee relative to the quartermaster-general's department.

⁴ See nos. 91, *ante*, 115, note 3, *post*.

24. Conferred with the same gentn.⁵

25. Closed the business of the Quarter Master Genl. Department⁶

III. DANIEL ROBERDEAU TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

Sir, YORK TOWN, Feb'y 23d, 1778.

The papers by you transmitted to the Board of War were refered to Congress read and committed to be returned; accordingly I do myself the honor of handing them to you, and hope the violators of the Laws of the State will be brought to condign punishment.²

II2. SAMUEL HUNTINGTON TO JABEZ HUNTINGTON.¹

Sir, YORK TOWN 24th February 1778

You will see King Georges Speach at the opening of his parliament before this comes to hand which is as late as any Intelligence we have from there. The Assembly of Virginia have fully approved and Acceeded to the Articles of Confederation have not heard the determination of any other State on the Subject.²

A general Cartel for exchange of prisoners hath taken place between Generals Washington and Howe, which is all the Intelligence I am able to communicate more than you will find in the public papers.³

II3. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
PRESIDENT OF PENNSYLVANIA (THOMAS WHARTON, JR.).¹

Sir, YORK TOWN, 24th Feb'y, 1778.

I had the honor of writing to Your Excellency the 21st.

Yesterday, Mr. Joseph Simons, of Lancaster, addressed Congress with a Letter—which Your Excellency will find inclosed—meaning, as he has

⁵ A letter from the committee to Congress Feb. 24 was read Feb. 27 (see the *Journals*, p. 207 n.). The committee assure Congress that they "will pay the utmost Attention to their Commands by placing the Quarter Master's Department (as far as lies in their Power) upon such a Footing and in such Hands as will provide for the various Wants which now distress the Army and shackle the General", and that "notwithstanding the Powers which Congress have thought proper to intrust us with we shall not presume absolutely to fix the Appointments, but . . . will submit the whole to them".

⁶ A letter of Feb. 25, relative to the quartermaster's department, was read in Congress Mar. 2. It is in Papers Cont. Cong., no. 33, f. 187 (not f. 197, as cited in the *Journals*, p. 210 n.; see no. 115, note 3, *post*). Cf. no. 124, *post*.

[III]¹ Pa. State Lib., P. P. XLVI. 4; *Pa. Arch.*, first ser., VI. 287.

² This probably refers to the letter of Wharton and enclosures read in Congress Feb. 18. The letter was presumably that to the board of war Feb. 16, in *Pa. Arch.*, first ser., VI. 268. See nos. 50, 54, 63, 97, 108, *ante*, also nos. 115, 159, *post*.

[II2]¹ Conn. Hist. Soc., *Collections*, XX. 400.

² See no. 73, *ante*, and nos. 122, 140, note 2, *post*.

³ Huntington either did not anticipate the obstruction which Congress was about to place in the way of a general exchange of prisoners, or else he felt himself under obligations to refrain from revealing the discussion of the subject then in progress. See no. 88, *ante*, and nos. 139, 163, 188, 202, *post*.

[II3]¹ Library of Congress, President's Letter-Book, I. 198; *Pa. Arch.*, first ser., VI. 298.

explained, to obtain permission for going within the Enemy's Lines, in order to account with Mr. Franks. Congress judged it best to refer this application, for determination, to the Supreme Council of the State; Hence Your Excellency receives the present trouble.²

114. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
SAMUEL ALLEYNE OTIS.¹

24th Feby 1778

Sir,

Very late this Evening your favor of the 24th Ulto. came to hand. I will present it to Congress to morrow, but as the Messenger by which this is intended will proceed earlier than our Meeting, I will barely acknowledge the receipt of your Letter which has travelled much more deliberately than you could have expected.

And I mean to afford you the further satisfaction of assuring you the Resolves of Congress which you intimate have affected an Individual, Mr. Jackson, were certainly not intended to apply to him or personally to any other Gentleman and that they were grounded upon general information of the exorbitant demands which had been made for such Merchandize as you had attempted to purchase for the use of the Army.

The Letters which you wrote on that occasion to Congress are at present in the Secretary's Office and at this time of Night not accessible, therefore I cannot positively say, the name of Jackson is not mentioned in them, but my memory which in such Cases is not deficient, assures me it is not, and you may, if it be needful, safely aver to that Gentleman that neither his name nor conduct were animadverted in Congress. this would probably have happened, had your Letter exhibited either or both in an unfavourable light.²

Be all this as it may, when I say you merit thanks for your attention to the public welfare in your department, I believe I speak the sentiments of every Member of Congress. . . .

P S 25th. A. M. the Messenger having been unavoidably detained affords me an opportunity of adding, that I have presented your Letter to Congress and that it was well received and your conduct applauded.

² See the *Journals*, Feb. 23. The Pennsylvania council referred the case to General Washington. See the council's letter of Mar. 3, *Pa. Arch.*, first ser., VI. 327.

[114]¹ Library of Congress, President's Letter-Book, I. 200.

² Otis's letter of Jan. 24 is in the Library of Congress, Papers Cont. Cong., no. 78, vol. XVII., f. 285. The passage to which Laurens particularly alludes is as follows: "I find my Representation to Congress of the exorbitant prices given for the goods referred to in General Heath's Letter and Resolve thereon, has given uneasiness to some of the Venders of those goods, and Mr. Jackson, a principal Contractor in the Business, thinks himself severely reflected upon by the Resolve of Congress of the 31st, and tho he desires the withholding the goods, he owns his asking me 2000 per Cent, and justifies the price he sold the goods for, at the same time avers nobody can say that he sold for 1800 or 2000 per Ct. for he did not sell by advance." See the *Journals*, Dec. 31, 1777.

115. JONATHAN BAYARD SMITH TO JOSEPH REED.¹

D'r Sir

YORK TOWN Feb: 25th 1778

On arriving at this place I find myself indebted to you for two or three letters.²

I wish the idea of employing Genl. Schuyler in the department referred to could have met the approbation of Congress.³ Besides the objections arising from his present situation which founded the *declared* impediment, I found on conversing with gentlemen privately that they feared the ill effects of an intriguing mind; a temper unfriendly to the dispositions of officers in the army and its peace; and that out of the sphere of his particular influence and knowledge of the country he would not be able to conduct the great business. This last objection I own was counter to every idea I had formed of the man. . . .

The several transactions respecting the laying up provisions of flour etc. in this state are truly unaccountable, unless one should give way to some very disagreeable reflections.⁴ The State feel themselves truly uneasy. Last monday Council received a letter from the board of war inform'g that the purchase of flour on the East side of Susquehanna was now unnecessary and that the Commissioners were directed to stop their hands in purchasing that article and to confine themselves to the purchase of meat.⁵ Council have directed a copy of the several papers on this subject to be sent to them and yesterday I procured an order of Congress for this purpose. I wish the order of Congress, and the application of *the delegates of a State* had been met with rather more attention at the board than they were. However the copies are making.⁶ I believe the Assembly and Council will very seriously address Congress on the subject. Not many days ago Congress stopt any purchases by the Superintendents on the East side of the River, and the money was sent to the Council. An additional 20,000 bbls. are ordered to be procured, and the State Comm'rs are now directed to discontinue their purchases of flour in the East. . . .

Congress yesterday passed thro' the plan for reinforcing the army with drafts from the militia.⁷ I fear it will have a tendency to draw us back

[115]¹ N. Y. Hist. Soc., MSS. of Joseph Reed, IV.

² The words "or three" appear to have been erased. However, at the close of the paragraph dated Feb. 26 Smith says: "The several letters I have the pleasure of from you are of Feb. 8 from Norriton, which I suppose the long one, as you call it, and which I consider as confidential, Feb. 13 Camp Valley forge, Feb. 19 do., Feb. 24 Moore Hall."

³ Schuyler had been under consideration, had in fact been recommended by the committee at camp Jan. 28 (Papers Cont. Cong., no. 33, f. 71, read in Congress Jan. 31), for the post of quartermaster-general. In the paragraph omitted Smith discusses the merits of Col. John Cox and General Greene, evidently in response to suggestions in Reed's letter to him. In the letter of Feb. 12 from the committee at camp (see no. 107, note 2, *ante*) all three were discussed. In accordance with the recommendation of the committee (Feb. 25) Greene was appointed Mar. 2, with Cox and Charles Pettit as his assistants.

⁴ See the *Journals*, Jan. 15, Feb. 5, 12, 14, 17. Cf. nos. 93, 97, III, *ante*.

⁵ See *Pa. Arch.*, first ser., VI. 281. Cf. *ibid.*, p. 278.

⁶ See *ibid.*, pp. 292, 303-314, and the *Journals*, Feb. 25; also no. 117, 145, 159, *post*.

⁷ There is no record in the *Journals* of the consideration of the subject Feb. 24. The matter was, however, twice before Congress Feb. 25, and action upon it is recorded under Feb. 26. It is of course possible that Smith misdated his letter.

again to 3 months men. Nor does it appear to be practicable in this State, Delaware, perhaps Jersey and I am told not in Maryland. As the body of the people are so circumstanced that the loss of one year must be the cries of their families or at least their very great distress those who return in the winter will find unprovided families, and with them become a burden on the public, instead of being the source of its strength and riches. A few repetitions will render the evil general and perhaps decisive if the experiment should succeed. But the trial made with the flying camp forebodes the event, especially as that was for 5 months only, and this for 9 months. The disadvantages arising from having to redeem persons from captivity who are to yield no future services by an exchange of others who are to serve during the war are manifestly against us; and the danger of meeting an enemy disciplined and hardy with new troops every campaign is alarming. Perhaps the Committee had good reason to think this mode was the last reserve. I am truly sorry for it. Sure I am these things and many more could not have escaped them. Their propositions have suffered no alteration that I remember except that in the first proposition recommending to reinforce *the army by drafts* these words are admitted immediately following *or in such other manner as shall be effectual*.⁸

I observe an exchange on the old cartel is likely to take place. Can nothing be done for our friends who are cruelly confined in the goals of Britain, and who are sent to the East Indies? Of the last circumstance Congress has undoubted testimonies.

Genl. Burgoyne has had the resolutions to detain him communicated to him. . . . An aid from B. is now in York Town on the subject of his detention.⁹

Feb: 26.

Not having an opportunity of forwarding the above, I have to thank you for yours of 24 Inst: which came to hand this Evening. I have heard no complaints concerning the slowness of your proceeding. Indeed such is the importance, multiplicity and delicacy of the matters you have to do, that time, much time, must be necessary to do it well. Of this I have reason to believe Gentlemen here are fully convinced. However taking it for granted that you have had hints on this head, I shall omit no opportunity of giving my sentiments freely. Much dependence is had on your proceedings. The consequences of doing Your business thoroughly may be great. If the army, or if the Congress should be disappointed the effects may be fatal. Indeed it may be a matter of some doubt whether the continuance of a Committee in camp would not be productive of great advantages.¹⁰ . . .

⁸ The words were added by Henry Laurens to the report as submitted. See the *Journals*, p. 200.

⁹ The aide-de-camp was R. R. Wilford. See the *Journals*, Feb. 28.

¹⁰ Here follows the passage quoted in note 2, above, but there was evidently another sheet of the letter, which is missing.

116. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[February 26-28, 1778.]

26. General not present.

27. General called away—Conferred with Baron Steuben—Sent dispatches to Congress respecting the Qr. M'r G. Department.²

28. Agreed to apply to the States of New-Jersey, Pennsylvania and Maryland to procure Horses for the Cavalry and Sables.³

117. JONATHAN BAYARD SMITH TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, Feb. 28, 1778.

Sir,

On other side you have copy of a letter yesterday Evening read in Congress. It was referred to a Committee, whose report you shall be made acquainted with. As I was that day confined to my bed, cannot say what strictures were made on the subject by Congress.²

The packet of copies was returned to me from the ferry as the river was impassable. I this moment had the honor of forwarding it by Genl. Wilkinson.³

118. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
GEORGE WASHINGTON.¹

1st March 1778.

Sir

. . . . I have the honour of being specially charged to signify to Your Excellency that Congress highly approve of Your Excellency's conduct in support of the Civil authority of the United States as expressed in Your Excellency's Letters in answer to General Howes Letter of the 19th January and 25th [5th] February.²

[116]¹ See no. 62, note 1, *ante*.

² See no. 110, notes 5 and 6, *ante*.

³ The letter to New Jersey has not been found. Those to Pennsylvania and Maryland, dated Feb. 28, are in *Pa. Arch.*, first ser., VI. 316, and *Arch of Md.*, XVI. 522, respectively. In the latter text, p. 523 (middle), a word is missing. The reading should be, "Men natives of the Country". The Maryland letter also contains a postscript not found in that to Pennsylvania. See the *Journals*, Mar. 2.

[117]¹ Pa. State Lib., P. P. XLVI. 14; *Pa. Arch.*, first ser., VI. 314.

² Evidently the letter of the board of war dated Feb. 26. The *Journals* (Feb. 27) record, however, that it was read in the morning session. The board's letter is found in *Pa. Arch.*, first ser., VI. 315. See the representation of the Pennsylvania council and assembly Mar. 6 (*ibid.*, p. 333), and the *Journals*, Mar. 10, 20; also nos. 145, 159, *post*.

³ See the *Journals*, Feb. 25, and *Pa. Arch.*, first ser., VI. 292, 303-314. Cf. no. 115, *ante*.

[118]¹ Library of Congress, President's Letter-Book, I. 201.

² See the *Journals*, Feb. 17, 25, 26. Howe's letters to Washington Jan. 19 and Feb. 5 (copy) are in the Library of Congress, Washington Papers; that of Feb. 5 is found in Washington's *Writings* (ed. Sparks), V. 535. Washington's replies to these letters, Jan. 30, Feb. 10, are *ibid.*, pp. 230, 234, the latter also in *Writings* (ed. Ford), VI. 369. Howe's reply, Feb. 14, is in Washington's *Writings* (ed. Sparks), V. 537. See also John Laurens to his father, Feb. 9, *Army Correspondence*, p. 122.

I am also directed to intimate to Your Excellency as a recommendation from Congress that every proper precaution be taken against putting it in the power of the Enemy to take any unfair advantages in the Exchange of prisoners, and that Congress take for granted, Genl. Lee is included in the late stipulation between Your Excellency and the British Commander and have therefore refrained from repeating a special demand for the restitution of that Officer.³

119. HENRY LAURENS TO FRANCIS DANA.¹

1st March 1778

Dear Sir—

'tis now late Sunday Evening and your favor of the 25th Ultio has but this Instant made its appearance. had it been less deliberate in its progress and not made so long a halt at the Waggon Tavern I might yesterday have received authority for confirming your acts in the arrangement of the Qur. M'r General's department. as the case now stands, tomorrow is mortgaged and it will be difficult to bring the business upon the tapis before Tuesday—however I will make an attempt and if not balked by some six-deep Orator will get it in edgeway in the afternoon.²

A Resolve will go to Genl. Washington by the present Messenger which will probably reach those partizans whom you were afraid would escape justice,³ and there is one upon the Anvil which I parted with yesterday every stitch Crimson. it will return to morrow probably with small White facings.⁴ We are vex'd I assure you Sir, and we shall roar when we come to hear the story of the Connecticut deserters—this I am determined to keep a secret to the very proper moment for disclosing the melancholy subject.⁵

An Act upon your Resolves for filling up the Continental Battalion's will also now go to the General.⁶

I begin to dread the enemy's driving the army into the City and sending a detachment for your humble Servant and Company. I have in the mean time been calculating how to repair the lack of so much Beef this may be done by a Recommendation from the Committee to the Army to observe Lent which will begin on Wednesday by three Pan Cake days in each of the Six Weeks.⁷

You intimate good Sir, that most of the Evils which have attended our Camp flow from gross neglect and abuse in the department of Qur. M'r general. if it be so, and I am inclined to believe it, why are we so Courtly

³ The *Journals* do not record such action at this time. See, however, under Mar. 30. For the outcome of the resolves of Feb. 26 relative to the exchange of prisoners, see nos. 163, 177, 188, *post*. Washington's reply to this letter, Mar. 12, is in *Writings* (ed. Ford), VI. 414, (ed. Sparks), V. 269.

[119]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 260.

² See the *Journals*, Mar. 2; *cf.* no. 110, *ante*.

³ The reference is doubtless to the resolve of Feb. 27.

⁴ Possibly the resolves relative to Burgoyne. See the *Journals*, Mar. 2.

⁵ It is not clear to what Laurens here alludes.

⁶ See the *Journals*, Feb. 26.

⁷ This is followed by some more serious comments on the situation. One extract is found in Wallace's *Laurens*, p. 231.

and mincing? is there a name under Heaven that shall sanctify the peculator or screen the man whose neglect of Duty has brought thousands to Misery and Death? forbid it torpid patriotism of 1775—No! let the Offender be dragged forth, and the people told, this is the Man!—God awaken us.

120. WILLIAM ELLERY TO THE GOVERNOR OF RHODE ISLAND
(NICHOLAS COOKE).¹

Sir,

YORK TOWN March 1, 1778.

. . . . We are about obstructing and fortifying Hudson's River, in order to secure the communication between the Southern and northern States; altering the System of the commissariats and quartermaster, which departments with the Clothier's, have been most miserably executed the last campaign; calling public officers to an account, and taking every method we can devise to fill up and supply our Army, and correct Abuses. I hope they will prove efficacious; but so great, alas! is the corruption and avarice of the people, that it is extremely difficult to find persons, to fill the public offices, who will by their honest exertions give efficacy to public measures.

Congress have directed Genl. Washington to send a proper Major Genl. to fill the place of Genl. Spencer.² It is not yet determined who is to pay the expense of the R. I. Expedition.³ I have not urged a determination; because Massachusetts hath been a long time and is still unrepresented, one of her members being of a committee now at Head Quarters.⁴ There are so many and such large demands on the treasury, for supplying the great departments of the army, that an application for a considerable Sum would be ineffectual. I opposed the last warrant being issued on our Loan-Office, but in vain.⁵ So soon as those departments shall be supplied, our State may have a chance. If the Assembly should think proper they can send forward an Abstract of their Accounts against the United States, with directions to their Delegates to apply when a good time shall present. If Loan Office certificates would answer it would mightily facilitate a Grant.

Some of the citizens of this state having been lately kidnapped and carried into Philadelphia, Congress have resolved that all offenders taken within 70 miles of the main army, or any detachment or post, under the command of a General, shall be tried by a court martial, and suffer the pains of Death.⁶

A certain northern expedition is for good reasons laid aside.⁷

[120]¹ R. I. Arch., Letters to the Governors, 1778, p. 29; Staples, *R. I. in Cont. Cong.*, p. 165.

² See the *Journals*, Jan. 13, Feb. 21. Gen. John Sullivan was assigned to the command Mar. 10 (Washington's *Writings*, ed. Sparks, V. 266).

³ This question was not determined until Aug. 7, 1778. See vol. II. of these *Letters*, nos. 764, 775, and nos. 11, 33, *ante*, 160, 459, *post*.

⁴ Francis Dana. See the *Journals*, Jan. 10, and no. 62, note 2, *ante*.

⁵ See no. 11, *ante*; also vol. II., no. 538.

⁶ See the *Journals*, Feb. 27. Broad-sides of these resolutions, preceded by an admonitory paragraph (see the Bibliographical Notes, *Journals*, XII. 1282), are found in the Mass. Hist. Soc., Heath Papers, VIII. 160, 161.

⁷ The expedition to Canada. See the *Journals*, Mar. 2. Cf. no. 98, *ante*, and nos. 126, 135, *post*. This part of the letter must have been written subsequently to Mar. 1.

121. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[March 1-4, 1778.]

- 1 *March*. Forwarded Letter to Gov. Livingston by Col. Cox.²
2. Wrote to Congress by Colo. Guest³—Agreed to recommend M. de Murman to Cong. for a Major in the engineering department.⁴
3. Conferred with the Majrs. Generals at Head Quarters
4. General not present. Wrote to Cong. upon the Engineering Department.⁵

122. JOHN HENRY, JR., TO THE SPEAKER OF THE MARYLAND HOUSE OF DELEGATES (NICHOLAS THOMAS).¹

YORK TOWN March 2d 1778.

Sir,

. . . . One of the principal subjects for which our Assembly stood adjourned to this Day, has not yet been taken up in Congress. The Confederation will be generally approved by the States. Virginia has acceded to it and some other States. N. Carolina has agreed to part only. In the principal point on which your Delegates are instructed, I despair of succeeding in.²

The success under our late recruiting Law I am unacquainted with. The necessity of filling up our Battalions agreeable to our quota, will appear by some late resolves of Congress which have been transmitted to our Governor to be laid before the General Assembly. The mode pri[n]-ceppally recommended is the last effort that should be made. Whether it is to be embraced at this Time, is left to the wisdom of the Legislature.³

[121]¹ See no. 62, note 1, *ante*.

² See no. 116, *ante*. The committee wrote to Congress Mar. 1 relative to the armorer's department, concerning which they had just received a letter from Washington. The committee's letter, read in Congress Mar. 6, is in Papers Cont. Cong., no. 33, f. 221; Washington's (dated Feb. 29) is *ibid.*, f. 225. Cf. the *Journals*, Apr. 18, 23.

³ Col. Nathaniel Gist. The committee's letter of Mar. 2, written by Gouverneur Morris, was a further discussion of the employment of Indians in the army, broached in their letter of Feb. 20 (see no. 104, note 10, *ante*). It discusses in particular the part which Gist was to undertake. The letter is printed in Reed, *Life of Reed*, I. 420. The original is in Papers Cont. Cong., no. 33, f. 201, a draft (with the date Feb. 25 erroneously endorsed on it by Thomson), at folio 197. See the *Journals*, Mar. 6, 7; also Washington to the commissioners for Indian affairs in the Northern department Mar. 13 (*Writings*, ed. Sparks, V. 273).

⁴ See no. 104, *ante*. The recommendation of Murnand was in a letter of Mar. 3. See note 5, below.

⁵ The letter transmitting the plan of the engineer corps is dated Mar. 3, and was read in Congress Mar. 6. A letter from Washington to the committee Mar. 1 (Papers Cont. Cong., no. 33, f. 209) discusses Duportail and the engineers. Cf. nos. 87, 104, *ante*, and the *Journals*, May 27.

[122]¹ Md. Hist. Soc., Portfolio IV. (61).

² The allusion is to Maryland's demand for the cession by the claimant states of their western territory to the United States. See no. 140, note 2, *post*; cf. nos. 73, 112, *ante*.

³ See the *Journals*, Feb. 26, and nos. 131, 155, *post*.

123. WILLIAM ELLERY TO JOHN LANGDON.¹

YORK TOWN March 2, 1778

Dear Sir

. . . . We are altering the commissariate plan and are looking out for a new Commissary General.² We have chosen General Greene Quarter Master General in the room of General Mifflin resigned, and a Col Cox and a Mr. Petit two very good characters assistant Q. M. G's, so that I hope things will go on better in that department than they have done.³ That of the Clothier General wants rectifying.⁴ Avarice and corruption run through disorder and confound the execution of all our measures. What effect the regulation of prices will have I cant say. I wish it had been universal, that a full experiment might have been made of its efficacy; although I was never fond of the measure. Unnatural restraints eventually do no good.⁵

124. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO FRANCIS DANA.¹

3d. March 1778.

Sir,

Yesterday I had the honour of sending forward a Letter written the preceding Evening as a private to yourself to which I beg leave to refer.²

Congress upon my presenting the Committees Letter from Camp dated the 25th. Feby. entered upon the subject without hesitation and confirmed divers Resolves which you will find in the Inclosed Act of yesterday's date by which you will be pleased to govern your future proceedings relative to the department of Quarter Master General.³

125. HENRY LAURENS TO JOHN LAURENS.¹

YORK TOWN 3d March 1778.

My Dear Son

. . . . General Burgoyne has transmitted to Congress a long remonstrative Epistle on the Suspension, to which we shall return a very laconic and decisive answer. this event must have been preconceived by the unfortunate General, who had therefore put into the hands of his Aid de Camp Messenger Capt Wilford a No. 2 to be delivered after the receipt of our answer, but without waiting, he enabled me to report it yesterday. this contains a request, that himself and certain Officers chiefly of his family

[123]¹ Library of Congress, Force Trans., Whipple, p. 475.

² See the *Journals*, Jan. 10, Feb. 9, 23, 24, 27, Mar. 9, 10, 12, 13; cf. nos. 84, 98, ante, and nos. 141, 142, 175, post.

³ See the *Journals*, Mar. 2.

⁴ Cf. no. 120, ante. A committee on the department of the clothier-general was appointed Apr. 18.

⁵ See no. 147, post.

[124]¹ Library of Congress, President's Letter-Book, I. 206.

² No. 119, ante.

³ See no. 110, ante.

[125]¹ Long Island Hist. Soc., Laurens Papers.

may under proper restrictions embark for England. I have communicated to several Members my sentiments, and I believe a vote will pass in his favour *Nem Con*. I think good may be produced from this Political condescension. however let me say the representation he has made of the state of his health and private affairs including his Character is an appeal to humanity, or in the General's own term to our Generosity.² . . .

126. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

the 4th March 1778.

Sir,

I am much honoured by the receipt of your Excellency's Letter of the 19th Febr. which was delivered to me by Colo. Kosciuszko in person, but not early enough by 24 hours to prevent my troubling Baron de Kalb to say "I had nothing to offer the Marquis delafayette on the 25th except respectful Compliments and good wishes." this would not have been true, had Your Excellency's favor been delivered to me, soon after the delivery of a Letter dated the 20th Febr, and signed by Your Excellency which was sent to me by the Board of War uncovered for the information of Congress.²

I had read this last mentioned Letter to Mr. Lovel before the meeting of Congress and remarked to him that from the Stile and tenor, it must have been intended for the president of Congress. this sentiment which scarcely required further aid, was confirmed beyond all doubt, by the preface of your Excellency's private Letter, "I intend to write to you as president of Congress." but unluckily this was not presented to me till the afternoon of the 26th. it was then the Colo., introduced by Genl. Gates, did me the honour to call at my little apartment. I can account in no way for the miscarriage of the Letter intended for Congress, but by concluding an error in the Superscriptory, and the omission within, of the customary direction, for it cannot be believed the Board of War would otherwise have made so unbecoming an appropriation; and their hurry of business apologizes for the want of that nice attention which was necessary to discover from the contents of the Letter that it was manifestly designed for Congress. from this mistake, if it be really one, it follows that I have no Commands on me from Congress directed to your Excellency, who will hear from the Board with whom Your Excellency apparently corresponded.

² See the *Journals*, Feb. 26, 28, Mar. 2, 3, and nos. 130, 135, *post*.

[126]¹ S. C. Hist. Soc., Laurens Letter-Book, 1776-1778, p. 261. Addressed to Lafayette at Albany.

² Lafayette's letter to Laurens Feb. 19, written from Albany, is in *S. C. Hist. and Geneal. Mag.*, VII. 189. See also his letters of Feb. 23, Mar. 11, 12 (two), *ibid.*, VIII. 3-14; and his letters to Washington, Feb. 19, 23, in Washington's *Writings* (ed. Sparks), V. 531, 534; also Duane to Clinton, Albany, Feb. 19, *ibid.*, p. 533. The letter to Washington Feb. 19 is also found (with variations) in Tower, *Lafayette in the Revolution* (p. 283), where also appears an extract of a letter of Feb. 23 to Gates (p. 286). Washington's reply, Mar. 10, is *ibid.*, p. 289, and in *Writings* (ed. Ford), VI. 410, (ed. Sparks), VI. 264. In the Library of Congress, Morris Papers, is a mutilated letter from Lafayette to Robert Morris Feb. 23, in which he speaks of his disappointment over finding nothing ready for the expedition, after being sent with so much noise. Lafayette's letter of Feb. 20, to which Laurens alludes, is not mentioned in the *Journals*, but presumably was among those presented by the board of war Feb. 26. Cf. *ibid.*, Feb. 24, Mar. 2.

Nevertheless, as it is neither out of the Line of the presidents Duty [nor in]consistant with his Rights as a Delegate, I shall do my self the honour of conveying a Copy of the Act of Congress of the 2d Inst. passed upon Resolving to suspend the intended Irruption;³ meaning from thence to prove that Congress maintain an high opinion of Your Excellency as a Soldier and a Gentleman and you may depend upon it Sir, the approbation contained in that Act, is genuine, not merely complimentary. admitting the phrasiology to be not quite unexceptionable; I should be criminally silent were I not to declare, the intentions of Congress respecting Your Excellency's honour and merits, are altogether so. I will in this case presume to answer for each Individual Member. . . .

I shall add to the Act of Congress above mentioned one of the 24th Ultio. which by three last words added at my particular request, enjoins you to report the reason of your Conduct "to Congress."⁴ Your Excellency may possibly think this anticipated by the Letters of the 20th Febr'y, and if the Board of War shall have transmitted Copies of these Resolves the present Inclosed, will appear to be superfluous. I have however confined my self within the sphere of my Duty, relying upon Your Excellency's indulgence to excuse me for making an address which is altogether private, the Vehicle of two public Acts.⁵

I know not what to say relative to Genl. Putnam's Command. it appears to me, that Gentlemen wish him away and at the same time they are loth to offend the good old Man. if it be from his unfitness their wishes arise, the sacrifice is very impolitic and unwarrantable.⁶

I remarked in a late Act by Genl. Gates he retained the Stile of Commander of the Troops in the Northern department. I know of no Resolves by which he has been divested of that Command, and I have heard it said lately, that there would be a necessity for his taking the Field again in the Spring.⁷

Your Excellency having now a proper opening to correspond with Congress may if you shall judge it proper suggest a plan for employment of such Troops as are at present under your Command and such as may be collected. I feel the utmost confidence that Congress will pay becoming attention to everything your Excellency shall be pleased to offer.

127. GOUVERNEUR MORRIS TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

Sir,

MOOR HALL, 4th March, 1778.

I take the liberty of writing to you upon a subject of the utmost importance to our State. By following so much of St. Paul's advice as to

³ See no. 120, *ante*, and no. 135, *post*.

⁴ In the Library of Congress edition of the *Journals* the resolve reads that Lafayette is to "report the reasons of his conduct to the Board", but in the *Secret Journals: Domestic Affairs* (1821) Laurens's "three last words", and to Congress, are found. In the first of Lafayette's letters of Mar. 12 (see note 2, above) he says: "in one of the resolves of Congress who have been sent to me by gnl gates it is said that I'll give accounts of my Conduct to the board of war, in this you are so good as to send me I am directed to give those accounts to Congress and the board."

⁵ See nos. 135, 137, 151, *post*.

⁶ Cf. nos. 100, 102, *ante*.

⁷ Cf. nos. 134, 168, 176, *post*.

[127]¹ *Records of the Governor and Council of Vermont*, III. 291.

become all things to all men I find clearly from the very best authority that without nice management we shall certainly loose the State of Vermont. The Eastern States are determined that they shall not be oppressed to use their phrase. The prejudices of the people are against us, so are their interests.²

128. WILLIAM DUER TO ROBERT MORRIS.¹

My dear Friend

. . . . I should imagine my dear Friend, you can be no Stranger to the present critical Situation of our Army, and the late Embarassment which the Ignorance and Faction of a thin C——ss have thrown in the Way of forming Magazines for the Army. The Consequences will in my Opinion, occasion its Dissolution very Shortly unless both they, and the State of Penna. cease to interfere with the Military Departments. This Circumstance, the Necessity of attending to our Finances, in order to supply the Exegencies of the next Campaign, and the means for bringing a force into the Field, and introducing in it, Discipline, and a Spirit of Enterprise call for the immediate Attention of every Lover of his Country, and particular[ly] of you who (without Flattery which I abhor) possess Talents to serve it at this Juncture, and whose Connection, with a State which is likely to be made a sacrifice of, demand in a peculiar degree all your Exertions. Let me my dear Sir conjure you to attend Congress on the Return of the Committee from Camp. I am sensible private Convenience cannot operate upon your mind at this Crisis, provided you have a Prospect of being useful. Mr. Lee writes me from Congress that several members are daily Expected. Mr. Hancock will be there in a few days,² and if my Presence can induce you, I will after I have secured my Baggage at Coryell's Ferry (for wh I set out this day) return and stay one month. Perhaps my dear Friend, the Joint Exertions of some [of] us may save our Country, and revive the Expiring Reputation of Congress, at least it is our Duty to try it.

I write in a great hurry, and in much anxiety of mind: which must plead my excuse for Incorrectness. Let me know by a letter to Reading whether you will attend Congress; if you do I will immediately proceed to Manheim on my Return from Coryell's³ and go with you. Write to Colo. Jos Reid to attend I am sure that his and your Presence will give a Right Turn to the Votes of Pensilvania and Delawar without which the endeavors of the other States will be useless.⁴ God bless you and your Family to whom I beg to be particularly remembered.

WM. DUER

² See nos. 232, 237, 381, 426-428, *post*. Morris was one of the committee sent to confer with Washington. See no. 62, note 2, *ante*. The committee was at this time residing at Moore Hall, near Valley Forge.

[128]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Henkels, *Catalogue*, no. 1183, item 154 (extract); Reed, *Life of Joseph Reed*, I. 365 n. (extract).

² Hancock did not however attend until June 19.

³ The copyist has written here "Congress", but it seems quite clear that Duer is proposing to return from Coryell's Ferry by way of Manheim and go to Congress with Morris. See nos. 193 194, 254, *post*.

⁴ *Cf.* nos. 74, 109, *ante*, and no 133, *post*.

READING March 5th 1778

This Letter will be delivered to you by Dr. Stringer of Albany an Acquaintance of mine whom I take the Liberty of recommending to your attention.

W. D.

129. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[March 5-7, 1778.]

5. Wrote to Cong. abt. Colo. Baylers procur'g Horses in Virginia.²
6. Genl. not present.³
7. Genl. not present. Arranged the New Hampshire Battalions, and conferred with the Jersey Colonels.

130. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
JOHN BURGOTNE.¹

6th March 1778.

Sir

By the hands of Lieutt. Wilford on the 26th Febr'y. I received the honor of Your Excellency's Letter of the 11th of that Month, No 1, and upon the 2d Inst. of another Letter from Your Excellency of the former date No. 2. these in due course I presented to Congress and I have received in charge to transmit to Your Excellency the three Acts undermentioned, which will be found within the present Cover.

1. An Act of the 2d March confirming the Act of January 8th for suspending the embarkation of the Troops in the Convention of Saratoga.
2. An Act of the 3d March for enabling Lieutt. Wilford to transmit certain papers to Genl. Howe.
3. An Act of the same date for granting passports for Your Excellency with the Officers of Your Excellency's family and servants to embark for Great Britain and for other purposes therein Resolved.

to these several Acts Sir, I beg leave particularly to refer, as containing all that Congress have judged necessary for me to return to Your Excellency's Letters above recited.²

I have the honor to be with all proper consideration Sir

Your Excellency's Obdt and most hum'e Servant

[129]¹. See no. 62, note 1, *ante*.

² See no. 87, *ante*, and the *Journals*, Mar. 2, 10, 11. Washington's instructions to Colonel Baylor, dated Mar. 4, are in *Writings* (ed. Ford), VI. 396.

³ The committee received and answered a letter from Washington this day. See no. 134, *post*. For another letter from the committee to Washington, set down in the *Calendar* as of Mar. 6, but which was without date, and was not, in fact, actually sent, see no. 139, *post*.

[130]¹ Library of Congress, President's Letter-Book, I. 208; Mass. Hist. Soc., Heath Papers, VIII. 183 (duplicate). The address in the Letter-Book is: "His Excellency John Burgoyne Esquire, Lieutenant General in the Army of His Britanic Majesty, etc. etc., at Cambridge, Massachuset Bay."

² Cf. no. 125, *ante*, no. 135, *post*.

131. JOHN HENRY, JR., TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORK TOWN March 6th. 1778.

Sir.

Col. Samuel Smith arrived here yesterday and acquainted me with the difficulty he met with in the recruiting Service, for the want of the continental Bounty. Upon his solicitation and the prospect of advancing the public Service, I have procured from Congress ten thousand Dollars to be transmitted to you, to be distributed in such proportion among the recruiting officers as you may judge most proper.² Col Smith has undertaken the carriage of this money, which I hope you will receive in a few Days. It is the earnest request of Congress that the Battalions from each State, should be filled up as early this Spring as possible. Maryland I hope will not be backward. The draught of the Militia recommended by Congress I fear will meet with many obstacles in the Legislature.³ Should that measure fail, I am at a loss to discover what expedient can be fallen upon. The Expedition into Canada is suspended. Genl. Burgoyne and two of his officers upon his earnest request to Congress is permitted to embark for England.⁴ Enclosed you have a copy of the resolve upon which the ten thousand dollars mentioned above was granted, by which you will see, part of the money is to be applied towards paying the premium for taking up deserters.

132. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN 6th March 1778

My Dear L

. . . . Congress Adjourn to Dine at One oClock and so Meet in the afternoon this Practice is much more agreeable than to sit till 5 or 6 oClock and I think it expedites Business.²

133. JOHN PENN TO ROBERT MORRIS.¹

YORK Friday morning. [March 6, 1778.]²

Dear Sir

Doctor Rickman³ and myself never got to this place untill yesterday about two oclock. we crossed at the Falls. you may easily guess how disagreeable our situation was, when we reflected that we had left Mannheim and were breathing in a little cold Tavern. however fasting after

[131]¹ Md. Hist. Soc., Red Book, IV. 111; *Arch. of Md.*, XVI. 528.

² See the *Journals*, Mar. 5, and no. 143, *post*.

³ See the *Journals*, Feb. 26, and no. 122, *ante*, no. 155, *post*.

⁴ See the *Journals*, Mar. 2, 3, and nos. 125, 130, *ante*.

[132]¹ Conn. Hist. Soc., Oliver Wolcott Papers, vol. II., no. 48.

² Cf. no. 198, *post*. There appears to have been a persistent conflict between the one-session and the two-session men, first one party then the other prevailing. See the *Journals*, Oct. 1, Nov. 19, Dec. 16, 1777, Jan. 24, Mar. 24, Apr. 29, May 30, Aug. 12, 27, Sept. 3 (pp. 870-876), Sept. 17, Oct. 20, Nov. 25, 1778. Cf. these *Letters*, II. 462 n., and no. 494, note 2, *post*.

[133]¹ Hist. Soc. of Pa., Etting Coll., Old Congress, VI. 52.

² The letter is endorsed: "York Friday 6. March 1777. Jno. Penn Esqr."

³ Dr. William Rickman, director of the hospital at Alexandria, Va. (appointed May 18, 1776). See, further, the *Journals*, July 22, Aug. 9, Dec. 20, 1777, Mar. 7, 1778.

feasting may be necessary, tho' we should have had enough of the former at this place.

Mr. Francy's business was taken up last evening The Committee reported that all the Consignments should be made to Hortales and Co. and a Contract made with their House for large supplies in future. as I thought we were not very good merchants, I proposed that the affair should be postponed untill Monday, in order that you might be requested to attend that day, by the Commercial Committee, and that all who wished to have you would make it a point to agree to the postponing. it was accordingly agreed to unanimously. It was proposed after wards that by particular direction you should be sent for. this was refused as not parliamentary, tho', almost every man would be glad to have you here. I hope my dear Sir you will excuse my being the means of giving you the trouble of coming to York as I really think it of great Importance to America to have a Gent'n of your abilities present when a Subject of such Magnitude is on the carpet. If you come get here on sunday evening as Mr. Francy is uneasy at being detained⁴ we will not keep you more than two days.

134. THE COMMITTEE OF CONFERENCE TO GEORGE WASHINGTON.¹

Sir

Upon considering the Matter referred to the Committee by your Letter of this Morning We are of Opinion that a very able Officer should have the Command on Hudson's River. And if Either Putnam or Heath must be sent to Rhode Island we should prefer the former. A new Arrangement may be made by Congress before the opening of the Campaign especially if Genl. Gates should (as we suppose he will) incline to take the Field. The committee Sir sensible that you are best acquainted both with the Characters of Men and the Exegencies of the Service beg you will make such Disposition as on the whole shall appear most eligible.²

We are Sir

Your most obedient and humble Servants

FRA DANA

by Order

MOOR HALL 6th March 1778.

135. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

YORK TOWN. 6th March 1778

Sir

. . . . I know not how to account for the Idea of those who planned and announced the intended Expedition,² it is probable if they are ever

⁴ See the *Journals*, Mar. 5 (action on report of the committee of commerce); also Feb. 20, 23, Mar. 12, 16, 17, 20, 23, Apr. 6, 7, 13, 16. Francy was agent of Roderique Hortales and Company (Beaumarchais). See nos. 74, 109, *ante*, and nos. 186, 281, 437. *post*.

[134]¹ Library of Congress, Letters to Washington, XCII. 116.

² Cf. no. 126, *ante*, and nos. 168, 176, *post*. Washington's letter to the committee Mar. 6 is found (in part) in *Writings* (ed. Ford), VI. 388.

[135]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 1.

² Laurens is replying to Lafayette's letter of Feb. 23 (*S. C. Hist. and Geneal. Mag.*, VIII. 3). Concerning the expedition to Canada, see no. 46, note 5, *ante*. Cf. Wallace, *Life of Laurens*, pp. 272-273.

called upon they will be at as great a loss in that respect as I am—a subject this, which I wish not to dwell upon. With regard to you Sir, it is clearly evident, that the part which Your Excellency has acted will be known throughout America and Spoken of with applause. I dare not predict the sentiments of Congress respecting a separate Command, however, I am persuaded every Individual holds you equal to the trust. If you are pleased to propose an eligible plan I may say with confidence it will receive a respectful consideration and 'tis my private sentiment there will be little hesitation upon availing the public of Your Excellency's offers of service.

I submit to you Sir, in such Case, the propriety of corresponding directly with Genl. Washington and procuring his opinion to be transmitted to Congress and also with Genl. Gates as an Officer and a patriot not as part of the Board of War.

I am sensible of the distress the Northern department has been in, from a want of Money. of late there have been large remittances and such further sum will immediately follow as the Treasury Board assure me will afford complete relief. if we all followed your Excellency's example and attended business at all hours until it was finished our affairs would be in much better plight than they are.

I dont know who promised Monsr. failly a Colonel's Commission. I know Congress refused him one, altho' he applied under the strongest recommendation from Genl. Gates.³ I cannot, even with Mr. Brice's ⁴ aid, decypher the name coupled with that of Monsr. failly.⁵

If it shall be determined that your Excellency shall remain in the Northern department it will become necessary in a proper part of some one of your Letters to Congress to require Blank Commissions.

When a proper opening invites, I shall with great pleasure intimate your Excellency's attention to the Interests of these States demonstrated in pledging your own in support of the public Credit, which I am persuaded will be gratefully received and acknowledged

I have ordered 6000 Dollars of my own funds to be packeted and delivered to Major Brice for which I have taken his Rect. to deliver the same to your Excellency.

I shall put that Gentleman in the way to enquire the course of Exchange in Lancaster if he finds it at 400 per Ct. or upwards Bills for about the Value of One Hundred *Louis d'or* each set may be transmitted and Made payable to me I will endorse them to the purchasers. there ought to be at least five bills to a set.

Major Brice will inform your Excellency how closely I am confined to this Table at all intervals from personal attendance in Congress and plead an excuse for all my errors and omissions.

I am just closing dispatches for Lieut. Genl. Burgoyne who having found a pen capable of writing Congress properly, has obtained leave to embark himself and family for Great Britain.⁶ I will in a few days

³ See the *Journals*, Feb. 5 (erased resolve), and no. 80, *ante*; also note 5, below.

⁴ Maj. John Brice, at this time aide-de-camp to Lafayette. Laurens's Letter-Book shows that Major Brice was the bearer of this letter and also that of Mar. 4, *ante*.

⁵ In his letter of Feb. 23 (see note 2, above) Lafayette says: "mr. de failly and mr. de luce have told me that they had been promised I should give them colonel's commissions, but I have no blank ones."

⁶ See the *Journals*, Mar. 2, 3, and nos. 125, 130, *ante*.

transmit to your Excellency the particulars of this negotiation. at present I am obliged to conclude, which permit me to do by repeating that I am with the most sincere and respectful regard and attachment

Sir Your Excy's obliged and obt. Servt.

P. S.

I have this moment a hint given me that the Board of War mean to recommend the recall of your Excellency and Genl. de Kalb to join Genl. Washington and that Genl. Conway will remain where he is.⁷ do not Dear Marquis suffer this to discompose you.

I shall expect—I was going to say—that Congress will weigh this point, but that Inst. Genl. Gates came in, I put the question to him he says it is intended to make it agreeable to your Excellency because there is no Command yonder worthy of you.

136. HENRY LAURENS TO SAMUEL ADAMS.¹

YORK TOWN 7th March 1778.

Dear Sir,

You may remember the anxiety which I expressed upon hearing of the Portuguese Vessel being carried into Boston as prize. neither you nor I knew then who were Owners of the Captor: I am sure I did not.

Congress two days ago received a Memorial on that affair from the Honble. Robt. Morris Esqr. which exhibits after much candid narration, a Prayer, "that Congress will cause a fair and public Sale to be made of the Vessel and her Cargo, that the charge and expence arising on the Sale be paid and the remainder or Net Proceed be invested  in Loan Office Certificates bearing Interest for  the benefit of the true and Lawful proprietors of said Vessel and Cargo."

The Ideas of the Memorialist are, that from this very partial restitution of original property, "the Original Owners will obtain *Justice and reparation*," in which from the prejudice of my Education I have the misfortune to differ extremely: that  "the Owners of the *Phoenix* will be relieved of all their difficulties". this sentiment precisely accords with my own, but unfortunately I cannot from any consideration unite with any set of Men in an attempt to dupe Congress into a participation of the Crimes or follies of those good Owners. then closes the pious peroration—"thus, the National Faith and Credit of these Infant States will remain Inviolatè". had this been intimated by any Man of less understanding and Virtue than the Memorialist I should have been prompted to pronounce it, "Matchless impudence and Ignorance". now I suspend a sentence.

This *Phoenix* Memorial, is however Committed to five and had pre-engaged strong Advocates.

the Memorialist altogether pleads ignorance of the orders given to seize Portuguese Vessels and adds ² his renunciation of the Act sometime after

⁷ See nos. 137, 151, *post*.

[136]¹ N. Y. Pub. Lib., Samuel Adams Papers; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 6 (with small variations).

² This word was substituted for "pleads" in the letter sent, while the Letter-Book copy has "cites".

the Vessel arrived at Boston. these might have made a different impression upon my mind, had it not been hardened by a retrospection to three or four antecedent circumstances and by the present definition of Private "Justice and Reparation" and of public "National Faith and Credit". I now perceive these, calling aloud for a thorough Investigation of the Crime committed, and that it is necessary if the Laws are defective for punishing Pirates and the prompters of Pirates we ought by doing complete Justice to the Injured Original Owners, and by affixing a Public Stigma³ upon the Offenders, display to the World that we entertain a just sense of, and that we are determined to keep Inviolable "the National Faith and Credit of these Infant States".

I have spoken these things freely Sir, in the confidence which you have heretofore been pleased to vest in me. this is a Public matter and will be followed with great consequences. it is, in the Power of the People and 'tis their Duty by wise determinations to draw them to contribute to, I should say to establish the Honour of the American Union, without regard to private considerations.

I am to request of you Sir if the Proceedings in Admiralty are not very prolix to obtain a Copy of and transmit them by the bearer hereof who is furnished with Money to pay the Office Fees—and I shall flatter myself with hopes of your sentiments in addition.⁴

137. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

7th March 1778.

Sir,

. . . . I spoke again this Morning to Genl. Gates on the subject of recalling Your Excellency to Genl. Washington's Army and although we differed in opinion I really believe he means well. however when the recommendation came before Congress, I could not, consistantly with honour and Love to my Country, forbear intreating Congress to hear my sentiments. I marked out the good your Excellency was performing in the Northern department, and the effect which an Order of recall *from the Board of War*, might have. the House agreed to postpone the Consideration of that Report and nothing will be done until we hear from your Excellency.

³ In the Letter-Book copy the expression is "proper Public Stigma".

⁴ See the *Journals*, Mar. 6, May 11, and no. 267, *post*. Some members of Congress were already viewing askance the conduct of Morris as a member of the commercial committee, and this affair of the Portuguese vessel served to crystalize the criticism of him. The affair came to a head in January, 1779, when Morris issued a statement to the public explaining his conduct (Jan. 7, 1779, vol. IV. A brief account of the episode is found in Wallace, *Life of Laurens*, ch. XXII.

The Portuguese vessel captured by the privateer *Phoenix* is referred to in the earlier proceedings of Congress as *Our Lady of Mount Carmel and Saint Anthony*. In the later proceedings varying attempts were made to give the name in the original Portuguese form. In Henkels, *Catalogue*, no. 1183 (items 226A, 227, 228) are listed three letters to Robert Morris, or to Willing, Morris, and Co., from Joseph Cunningham, captain of the *Phoenix*, two of them, written from Boston Oct. 16 and Dec. 24, 1777, respectively, describing the capture of the Portuguese vessel. Adams's reply to Laurens's letter has not been found.

[137]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept. 1778, p. 4.

When Your Excellency writes to Congress you will certainly take no notice of the above. you may ask us how you are to be disposed of and so forth, in which Your Excellency needs no hint or information from me. permit me to intreat you Sir, if you speak of or refer to the Letter of the 20th Feby, avoid disclosing that kind of resentment which may bring on disagreeable altercation I dread the consequences of keeping up the flame of party by disputes among ourselves and so far as I feel my self affected or affronted I am willing to make a sacrifice to peace by passing quietly over the bagatelle. if there was any design in the forestalling that Letter, Major Brice has said enough to inflict ample punishment upon the offender. the dread of being detected and brought to light will be no small degree of punishment.²

138. THE COMMITTEE OF CONFERENCE, MINUTES.¹

[March 8-12, 1778.]

8. Sunday Conferred with the General the Major Generals and the Commissioners on the subject of the Cartel.²

Conferred with Colos. Livingston and Cortland³ of New York and the Mass'ts Colonels upon arrangemts.

9. General not present

10. General not present

11. At Head Quarters.⁴ Conferred upon the Cartel.

12. Wrote to Major Chase about the Tents.⁵

139. THE COMMITTEE OF CONFERENCE TO GEORGE WASHINGTON.¹

Sir

[March 9 ? 1778.]²

The Committee at Moor Hall have employed such Time as they could spare from many Interruptions this Morning in a Conference upon the

² See no. 135, *ante*, no. 151, *post*; also Lafayette to Laurens, Mar. 20, *S. C. Hist. and General. Mag.*, VIII. 14.

[138]¹ See no. 62, note 1, *ante*.

² See nos. 88, 118, *ante*, and nos. 139, 163, 188, 202, *post*.

³ James Livingston and Philip Van Cortlandt. (Of ten letters from the latter to Washington prior to the end of 1783 five, 1778-1779, are signed "Philip Cortlandt" and five, 1781-1783, are signed "P. Cortlandt".)

⁴ The committee had resided during the greater part of the period of conference at Moore Hall, near Valley Forge.

⁵ Presumably Thomas Chase, deputy quartermaster-general, stationed at Boston.

[139]¹ Library of Congress, Papers Cont. Cong., no. 33, ff. 241-253 (draft, in the writing of Gouverneur Morris). It is endorsed: "Draft of Part of a Letter to Gen. Washington on the subject of exchange Superseded by a Conference."

² The *Calendar* of the Washington Papers gives the date of this draft as Mar. 6, but it is in fact undated. The last sheet on which the draft was written contains the beginning of a letter, with the date, "Camp near Valley Forge, March 6th, 1778" but it was evidently to some person other than Washington. (This beginning is: "Sir, Your Favours of 1st Jan. and 5 Do. came safely to hand after taking a Circuit and laying a long Time at York Town.") This discarded fragment of a letter does, however, show that the letter to Washington could not have been written earlier than Mar. 6. The minutes of the committee (no. 138, *ante*) show that there was a conference with Washington Mar. 8 on the subject of the cartel, that he was not present on the 9th and 10th, but that there was another conference with him on the subject Mar. 11. It is conjectured that the conference Mar. 8 was connected with the subject of Washington's letter to Congress Mar. 7-8 (*Writings*, ed. Ford, VI. 397, ed. Sparks, V. 253), and that the discussion of the matter by the committee in his absence followed on the 9th or 10th.

very important Subject of the Cartel now about to be established. And altho they may not be (and probably are not) so well acquainted with some Facts as other Gentlemen, and having perhaps different Feelings upon the Subject may view the same object in a different Point of Light, yet they conceive that the Ideas of Citizens may not be quite useless to Gentlemen of the Army now about to determine on the dearest Rights of Citizens at least of unfortunate ones. Neither will it be improper that as Members of Congress they should endeavor to explain and to vindicate some Resolutions of Congress which must in the Course of this Business become Matter of Debate and which (in the Opinion of some Gentlemen not improperly) have been already stigmatized as cruel and unjust.³ Your Excellency's Request superadded to these Considerations leads the Committee to go into the Matter a little at large, a Measure which on so important a Transaction their Duty seems to require.

Without entering into the Deduction of an historical Train of Facts we shall simply refer to those which apply to particular Propositions, but it appears to us absolutely necessary to investigate if possible the precise situation which the contracting Parties stand in as well absolutely as relatively to each other. For since no Fact can be clearer than this that Interest alone (and not Principles of Justice or Humanity) governs Men on such Occasions it becomes necessary to know our Interest and theirs, which can alone be collected from such Situations.

And here because it frequently happens that Soldiers particularly young Soldiers are dazzled with Misconceived or ill applied Notions of Honor, it may be well to step a little on one Side and explain our Sentiments. Honor mutually pledged appears to the Committee to be the *ostensible* Security of Compacts prompted and complied with for mutual Ease Security or Advantage. The Current of History will shew us that this Security is for the most Part only *ostensible* and were History silent our own melancholy Experience in the present War after the first Cartel settled will evince the Truth of the Observation at least as far as the Business before us requires. But allowing that it were more than *ostensible*, allow it to be *real*, we cannot conceive that it hath any Thing to do with adjusting the Terms of the Compact. It is in publick what Honesty is in private Transactions and tho Honesty obliges a Man to pay what he owes it hardly obliges a Man to run in Debt.

The Enemy possessing Quebec Halifax Rhode Island New York Philadelphia and Florida are distressed for Men to make a proper Defence at these several Places in the Begining of the ensuing Campaign, they being at present ignorant where the Storm which they suppose to be collecting will fall, and fully convinced that the Loss of any capital Post will do them more essential Injury than the Failure of an Expedition or a considerable Defeat. Besides this it is with Difficulty they can procure Subsistence for their present Force in America and their Supplies of Money begin to run low. They are therefore much affected by the Resolutions of Congress compelling them to send Provision in Specie or pay for it in hard Money at a par Exchange.

³ The reference is doubtless to the resolution (with its preamble) of Dec. 19, 1777. See also that of Feb. 26, 1778.

Having mentioned these Resolutions it is not amiss to attempt to clear them from the Imputation of Inequity. And first it must be observed that in every Compact between beligerent Powers to ascertain Money Matters Recourse must be had to a *tertium interveniens* or middle Rate, neither Party being willing to trust the Honesty of the other seeing that if he did, that other by exercising the allowed Sovereignty of a State might raise or lower the current Coin so as to suit his own Convenience according to the Circumstances and Exigencies which might arise. *A fortiori* on the present Occasion, is such Precaution necessary to us the Value of whose Money is from the Nature of the Case more fluctuating than that of other Nations. Besides which the Enemy deny that it is Money and have not only the Will but in a great Measure the Power too of governing its Value and further have exerted themselves to depreciate it by Methods totally unprecedented among honest Men. If then it were agreed that both Sides should pay for the Subsistence of Prisoners in the Money of the respective Countries, what would be the Consequence but that our Resources must be entirely exhausted in maintaining our Enemies and this by Reason of their Knavery and our Folly[?] Besides this it would be declaring upon the very Face of the Transaction that our Money is not worth a Quarter of what it is uttered for by Congress, which is the next Step to making it worth nothing at all. With a View to these Inconveniences Congress fix the Medium to be in Spanish Milled Dollars worth each one paper Dollar of the Currency of these States and $\frac{4}{6}$ Sterling. Nor does the Objection of Inequity lie so strongly as Gentlemen suppose even in their own favorite Point of View, for it is permitted to them to pay in Specie; or if they can do it cheaper and more conveniently than in Gold they certainly will, but the Fact is their Provision costs them more than ours even on this *inequitable* Exchange as it is called and we shall have to pay for so much as is furnished to our Prisoners according to what it costs them and not as we might have bought it in the Country. Nor shall we be permitted to replace our Deficiency in Provisions unless they happen to want Subsistence. For this we find was the Case at first, and tho the Liberty of sending in Flour and Wheat as they grew short in these Articles was (on that Principle and for their advantage) extended to an Amount for purchasing other Necessaries. Yet even then they by Proclamation obliged us to sell our Wheat at their Price or in other Words to pay for their Commodities just what they pleased. And tho it may be said that this Proclamation applied chiefly or only to their own Territory, yet when it is known (and the Fact is) that the Inhabitants of that Territory never did raise Wheat beyond their own Consumption the slight thin Pretence only exposes their Conduct.

But to return, it is evident that the Interest of the Enemy now calls upon them loudly for an Exchange of *Men* and therefore it is by no Means a Matter of Surprize that Genl. Howe after having delayed it so long is from these Circumstances brought to urge an Exchange with such Rapidity.

On the other Hand the Capture of Burgoyne and the Leisure allowed the united States to breathe from the late Exertions will enable them to bring no despicable Force into the Field earlier than the Enemy can be

well supported by additional Numbers; besides this, the Maintaining so large a Number of their Prisoners will bring in considerable Supplies of solid Coin, while the Liberty which a Principle of Retaliation now fully adopted compels them to allow our Prisoners will enable us to maintain them with comfort among the Enemy, whereas if exchanged they would scatter abroad thro the Country and make little or no Addition of Strength to our Army. At the same Time the Want we feel of good Officers and the Sufferings of our Sailors and Citizens call upon us to establish a Cartel. Our Interest therefore is to push the Exchange of Officers Mariners and Citizens. The Mariners indeed will not be exchanged on the ensuing Conference but must take their Chance upon the great and useful Retaliation which Genl. Howe with great Propriety condemns because it affects his Interest, which was greatly forwarded by rendering American Prisoners so miserable as to disincline them to the Service of their Country if not absolutely forced to abjure it.

The Exchange of Officers will We believe be admitted by the Enemy tho from the Delays affected there and the parole System adopted there is very good Reason to suppose that they will expect great Sacrifices on our Part in the Exchange of Privates and also some Relaxation in the *inequitable* Demand of Subsistence. But the Exchange of Citizens they will if possible avoid because it is their Interest to render the Acceptance of civil Offices extremely dangerous since without civil Officers there can be no civil Government and the Enemy have Discernment enough to discover that civil Governments will be a more effectual Bar to their Claim than any Army upon Earth and this for Reasons your Excellency is so fully possessed of that it is needless to run thro the Detail.

Thence it follows that the Exchange of Citizens should be a *sine qua non* of the Treaty; ⁴ it should be made the great Corner Stone, Unless the Enemy will (which they will not) agree to carry on the War upon those benevolent Principles which we set them a fair Example of by Releasing all such of their Citizens as fell into our Hands. The next Part of the Treaty should we conceive be the Exchange of Officers, and here as well as in the Exchange of Citizens we ought to insist that former Agreements be complied with on their Part before we take a single Step further in the Business, the great Security of public Faith being a regular and rigid Exaction of the Performance of every Promise on the Part of our Enemies while we have the Power of compelling Performance which will be the Case so long as we prudently retain their Soldiers in our Hands.

Another Resolution of Congress presents a very considerable Obstacle in the Way of this Exchange and that is a Resolution directing that the Subjects of the several States found in Arms shall be delivered to the States respectively.⁵ The Enemy will doubtless expect either a direct or at least an implicative Repeal of this Resolution, but as neither the one or the other can be in the Power of the Commissioners, would it not be proper either to obtain Confirmation of their Authority from Congress

⁴ Cf. no. 88, *ante*. That letter was written by Dana, and, though this letter is in the hand of Morris, parts of it suggest the voice of Dana.

⁵ See the *Journals*, Dec. 30, 1777.

or else to instruct the Commissioners to insert a general Clause to the following effect viz. " Provided always that Nothing herein contained shall be construed in any wise to affect any Acts of the British Parliament or Resolutions of the American Congress ". But if it shall be thought most adviseable to obtain from Congress a Confirmation of the absolute Power of the Commissioners, we then submit to your Excellency the Propriety of directing them to provide that the Troops raised by the Enemy in America shall be last exchanged and also a special Proviso that nothing in the Articles contained shall be construed to prevent either Party from proceeding judicially against those who by the Event of this Contest shall appear to have been Rebels. The Reason of which Observation is this, that so long as the Troops raised among us are entitled to the Privilege of equal Exchange the Enemy will be enabled to carry on the American War in a great Measure by the Strength of America; besides this it is no small Inducement to interested Men to join them, that at the worst Great Britain will make it an Article to save the Property of her Adherents in America, and altho Prudence may as it probably will lead us to go a great Way in our Compliances to get Rid of a very burthensome War, yet certainly Prudence will now dictate to hold out a Beacon to the wavering in *Terrorem*.

Should a Cartel take Place then in settling the Terms, great Attention should be paid to the *Valuation* which both with Regard to civil and military Characters should be made on Republican Principles, that is the Officers should be estimated very low when compared with the Privates whether Citizens or Soldiers, and besides this they should be exchangeable for each other only, that is to say civil Officers for civil Officers military for military Citizen for Citizen and Soldier for Soldier. The Reasons of which considering the disproportionate Number of Officers and those too of high Rank among us are too evident to dwell upon.

In adjusting Accounts we cannot but be of Opinion that the full Value of our Money should rigidly be insisted on and before the Ballance is struck it should be agreed how such Ballance is to be paid; for which a Variety of Modes presents itself. If neither Gold or Paper will answer (for if they will not acknowledge the legality and Value of our Money they certainly should not be permitted to pay their Debts with it) then it may be proper for the Americans to pay in Wheat and the English in Cloth at limited Prices, which would be for the mutual Advantage of both Parties or to establish some other Mode alike in the Power of both to comply with.

The Enemy will probably make a very considerable Demand of Prisoners taken at Fort Washington, but before a Tittle of this is complied with, for the Sake of the Influence it may have on future Transactions the Question must be settled whether Prisoners on Parole are or are not at the Risque of those who grant the Parole and this must be made an Article of the Treaty; for if they are not, then when old Prescott dies Lee should be considered as released because upon calling for Prescott he could not come in and therefore the other would not be bound. But if they are, then we are not to account for one more of these Men than are now alive.

However supposing the former to be the Rule established which we believe ought to be the Case, then a manifest Distinction is to be taken between the common Accidents of Nature and other Circumstances. For clearly should the Enemy after dismissing Prisoners on Parole waylay them and put them to the Sword, we should not be held to redeem them. Again if their Death was rendered equally certain by previously administering Arsenick the Determination ought to be the same. And surely no good Distinction can be taken between Death brought on by a Detention of the Necessaries of Life and an Exhibition of the Principles of Death. If therefore it should appear that these unhappy Men were by hard Treatment so reduced that great Numbers necessarily died we ought not to be held to account for them and a very favorable Opportunity now offers to stickle for these unhappy People to the uttermost, and in order that the Enemy may find it to their Interest to treat Prisoners better in future they should not be suffered to take the least Advantage of their own Wrong. The Commissioners therefore should be directed to estimate the Number of these Prisoners very low and further to start an Objection whether even any of them are to be exchanged. Inasmuch as the Capitulation of Fort Washington was clearly broken and altho it may not be proper to insist on this Matter, yet it will be of Use to raise it because in Treaty the Claim of an Adversary should be opposed on every just and honorable Ground, since by that Means it may be much lessened if not totally avoided, besides which the only Security for their future good Faith consists in making them pay for their former Iniquities.

Another Claim they may perhaps set up is that of Restitution for the Men taken at the Cedars, but on this Occasion the Case of Fort William Henry last War is so fully in Point that they cannot say much on the Subject.

On the whole Sir We have to intreat that the Commissioners will not suffer a Headlong Desire of relieving the Miseries of our unhappy fellow Countrymen or a blind Attachment to Principles which the Enemy disregard (they having in Fact nothing to do in the Making of Treaties) to lead them into a hasty Acquiescence in the Enemy's insidious Proposals for such their Proposals will and indeed ought to be if they would maintain the Character of able Negotiators. But that on the other Hand they will industriously Consider that on a proper Management and Use of the present Opportunity the Rights and Interests of this Country do most materially depend. And we cannot but wish for many Reasons that they may be careful not to interfere with the Resolutions of Congress which may involve in it very disagreeable Altercations.

It is true that by insisting on these various Points the Treaty may become intricate and after all the whole Matter fall to the Ground. But if it should, who will suffer most by the Accident[?] This is a Question which should be maturely weighed because upon a proper answer to it must depend the Steps to be taken on our Part. And at any Rate should the Exchange be ever so desirable the best Way to bring it about will be by apparent Indifference whether it ever takes Place.⁶

⁶ See, further, nos. 163, 188, note 5, 202, 233, 235, 300, *post*.

140. JAMES LOVELL TO SAMUEL ADAMS.¹

March 10th 1778

My dear Sir

It was mortifying to hear the Delegates from several states this day assert that they were instructed respecting the Confederation, while the two Cyphers from Massachusetts could produce nothing. Our State is expected to be found in the Fore-front upon such Occasions. I think the determination of the States upon this point must have a great effect upon the ensuing Campaign and I therefore wish to hear from our Assembly.²

141. ELIPHALET DYER TO JEREMIAH WADSWORTH.¹

YORK TOWN March 10th 1778

Dear Sir

a day or two after the President wrote you Inclosing a resolution of Congress requesting your speedy Attendance at this place² I wrote you to the same purpose by your last and one from Coll. Williams am Informed you had not recieved that from the President. Congress have long been sick of the late Commis'te³ System. they find it sufficiently ineffectual they were determined to alter they have from Various quarters been advised to you to head that Department they thot it prudent to have you present to advise to a plan which you dare Venture yourself upon but by your delay they are oblidged to Indeavor to settle a plan in the best manner they can, but dare say when you come they will readily admit of such alterations as you think Necessary. they are willing to make it worth any Gent'n accepting. they Wish to have the Army Supplied at any rate. I hope you will make no delay in coming forward the season is advancing. Our preparations ought to be seasonable for the ensuing Campaine. We ought to make an early Effort to dislodge the Enemy before any reinforcements may come from Great Britain tho Planet Struck at the fate of Burgoyne yet are determined to make one Vigorous Effort more which God Grant may End in the destruction of all their future Schemes against America. hope no one this year will Stand upon Terms but join heart and hand for his Country

[140]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² The *Journals* make no record of the fact that the Confederation was under consideration Mar. 10, or of fixing a future day for its consideration. See nos. 73, 112, 122, *ante*, and nos. 143, 149, 155, 161, 162, 170, 191, *post*. Adams's reply, Mar. 27, to this and others of Lovell's letters is in *Writings* (ed. Cushing), IV. 16. Cf. his letter to Richard Henry Lee, Jan. 1 (*ibid.*, IV. 1), that to [James Lovell], Jan. 10 (*ibid.*, p. 6), and the vote of the town of Boston, Jan. 21 (*ibid.*, p. 11).

[141]¹ Conn. Hist. Soc., Jeremiah Wadsworth Papers. Addressed, "To Coll Jerem'h Wadsworth att Hartford Connecticutt".

² See the *Journals*, Feb. 9, Mar. 30, and *passim* (index, Wadsworth, Commissary-general of purchases); also nos. 84, 98, 123, *ante*, 142, 175, *post*.

³ Commissariat.

142. ELIPHALET DYER TO WILLIAM WILLIAMS.¹

YORK TOWN March 10th 1778

Dear Sir

. . . . We have regulated the Qr. Master Department appointed by recommendation of Genll. Washington and our Com'te at head Quarters, Genll. Green, Majr. Cox and one Mr. Pettit of the Jerseys to head the Various branches of that Department² but I fear we have not persued the best plan for the purpose. We have been waiting for the Arrival of Coll. Wadsworth to make a new plan and regulation in the Commiss's Department to form it so as to be agreeable to him, but at present are disappointed. the principal and main business of Jones the express was to carry letters to him, tho he had some letters for Boston am surprised at his failure in delivering the letters, by which means are obliged to proceed in our plan without his advice, but believe if Gain will Tempt him we shall put it on as favorable a footing as he could desire beside he will have the appointment of all to act under him. I hope you will forward him here with all Speed, all the purchases will be on Commissions, as also his pay.³

[P. S.] be assured there is not the most distant thought of removing Genll. Washington, nor ever an expression in Congress looking that way, is a Tory lye from the beginning.⁴

143. JOHN HENRY, JR., TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORK TOWN March 10th 1778.

Dear Sir

Upon the representation of Col. Samuel Smith who was here last week, I obtained from Congress ten thousand Dollars for the recruiting Service. I sent it by him to you, and I expect you have received it before this time.² If that sum will not do, I beg you will be kind enough to acquaint me.

I am informed the Committee of Congress at Camp have among other States, applied to the State of Maryland for the purchase of a number Horses for the purpose of forming a Body of light Cavalry.³ If you should approve of the plan or should you lay it before the Assembly, and it is adopted by them; I trust some estimate of the expence will be made, that the money may be forwarded from this place. Should the recruiting Service require a greater number of Dollars I believe they may be had.

I believe you need not entertain any fears of the expedition against Canada going forward. The advanced Season of the year, and the feeble

[142]¹ Boston Pub. Lib., Statistical Room, Chamberlain Coll., II. 5.

² See the *Journals*, Jan. 30, 31, Feb. 5, 7, 21, Mar. 2, and nos. 84, 123, *ante*.

³ See no. 141, *ante*.

⁴ Williams had doubtless heard an echo of the Conway affair. Cf. a letter of Benjamin Harrison to Joseph Hewes Mar. 3, *N. C. State Recs.*, XIII, 61.

[143]¹ Md. Hist. Soc., Red Book, X. 64; *Arch. of Md.*, XVI. 532.

² See no. 131, *ante*.

³ See the committee's letter of Feb. 28, in *Arch. of Md.*, XVI. 522; *Pa. Arch.*, first ser., VI. 316.

preparations in that department has effectually put an end to it.⁴ I most cordially join with you in opinion, that it is the interest as well as the true policy of this Country to collect their force to a single point by strengthening the hands of Genl. Washington. But this I fear will not be the case. It is the opinion of some, and they have weight with a certain class of men, that the whole force of the Enemy will be turned towards the East the next campaign. a military Gentleman in high office supports this opinion. Should it prevail in Congress I think it will injure the Middle States in a high degree, as well as the common Cause at large. The *Virginia* Frigate is ordered to make another attempt if she fails the measure you propose I expect will be adopted.⁵

Virginia will this afternoon offer to ratify the confederation. No other State is prepared. I shall take this opportunity of stating the objections to it, from Maryland, tho I have little hopes of this matter being soon determined. I fear it never will in our favour.⁶

144. JONATHAN BAYARD SMITH TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, March 10, 1778.

Sir,

On other leaf is copy of parts of a letter from Colo. Hartley to the board of war on the subject of recruiting his battalion, and the boards letter to Congress on the subject;² both which were referred to the delegates of this State. As not to comply with the proposition made, might appear an unnecessary obstruction to reinforcing the army on one hand, or on the other a compliance might involve consequences not expected, the delegates advised with the Committee from the state now here,³ and finally take the liberty of referring to your directions, as they did not conceive themselves authorized to interfere.

The states are severally called upon to raise their old quota of troops. The number of this state regiments is diminished to 10.⁴ The supernumerary men are to be transferred to the horse, artillery, and other unconnected corps. Of the 16 Regiments (so called) 9 only are to be kept up; and, I suppose, will be allotted to particular states, and filled up as above. Colo. Hartleys will probably belong to us as its natural connexion. To concur with his proposition will give him the men more immediately, and allowing him to employ his officers may expedite the recruiting service; perhaps be the mean of procuring recruits, either from connection or attachment, which others would not pick up. He has expectations from

⁴ See nos. 126, 135, 137, *ante*.

⁵ The *Virginia* frigate was under command of Capt. James Nicholson. See Paullin, *Out-Letters*, I. 198, 206-209, 220, 221, 224, 244; also *Arch. of Md.*, XVI. 498, 508, 534, and no. 170, *post*. A letter from Captain Nicholson Apr. 2, read in Congress Apr. 10, announced the loss of the *Virginia* on Mar. 31. See also the *Journals*, Apr. 18.

⁶ See no. 140, note 2, *ante*, and nos. 155, 170, 191, *post*.

[144]¹ *Pa. Arch.*, first ser., VI. 350.

² See *Pa. Arch.*, first ser., VI. 351, and the *Journals*, Mar. 9, 27, Apr. 13.

³ See *Pa. Arch.*, first ser., VI. 359.

⁴ See the *Journals*, Feb. 26.

the borders of Maryland; filled his regiment formerly with quick success, and appears to be sanguine now. With respect to the money he appears to be prudent and cautious. But as we may perhaps not foresee all the effects, or the full connection with the state of Pennsylvania, we beg leave to solicit your earliest advice and direction, as no time ought to be lost. We beg leave only to add that the complement of each battalion is also to be reduced, and that though some states have discountenanced these unconnected regiments, yet some others have given them the benefit of their state bounties.

145. JONATHAN BAYARD SMITH TO JAMES YOUNG.¹

Sir,

The frequent complaints made concerning the Waggon service induces me to trouble you with this letter. I shall mention two instances, and will be much obliged to you for a state of the case in general, and for your sentiments on the particular instances I now refer to.

Your letter to Council was transmitted to the Delegates of this State, and we had occasion to communicate it to Congress. It was said in reply that the Superintendants had regularly turned over the whole transactions and given the proper orders for delivery to the Commissioners, and upon application from the Waggon Masters informed them that they had done so and referred to them.

The other Instance is that upon application for Waggon to move 2 tons of Iron you had refused to, saying that no waggons were to go out of the State.

As I imagine those things only need to be explained, I wish for information, and shall be glad to receive it, or on any other occasion from you.²

YORK TOWN, 11th March, 1778.

146. HENRY LAURENS TO JOHN RUTLEDGE.¹

11th March 1778

Dear Sir,

. . . . The intended Irruption into Canada ended before it commenced. in this business the Marquis delafayette has acted with wisdom which has gained him much reputation, but he is seriously chagrined with the planners of that amusement. if I have the honour of any Influence it shall be, I may say it has been exercised to dissuade him from the resentment at this critical juncture.

Your Excellency may recollect I regretted being almost alone in opposition to that indigested romantic scheme. Your Sir, who know the World so well, will not be surprised when I add I can scarcely find a Man in Congress, now, who favoured it. except my own I do not remember three

[145]¹ *Pa. Arch.*, first ser., VI. 357.

² See the *Journals*, Mar. 10, 20; also *Pa. Arch.*, first ser., VI. 218, 259, 276, 282, 289, 298, 321, 330, 337, 338, 343, 348, 353, 366, 371, 377, and *passim* (index, Wagons, etc.) Cf. no. 117, *ante*, no. 159, *post*.

[146]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 10.

dissenting voices. Now—well “I never liked that Canada Expedition” is unanimous.²

I have been strongly tempted to resign the Chair in order to gain an opportunity for offering my sentiments upon subjects, which, tho’ of great moment, came within the narrow Circle of my understanding. I am apprehensive of being under a necessity of transmitting a proof of this in three of Colo. Kennon’s Bills sanctified by Your Excellency’s testimonial which I fear will nevertheless, after certain illiberal remarks upon your Excellency’s Certificate, be returned protested to Charles Town. had I been upon the floor I am persuaded this would not have happened. if the House is so unwise as to refuse payment tomorrow I shall think it my Duty to accompany them by a special detail of the causes.³

147. ELIPHALET DYER TO THE GOVERNOR OF CONNECTICUT.¹

YORK TOWN. 12th Mar. 1778.

Sir.

I had the Honor of yours by Torrey and since by Mr. Brown, with the Inclosures. On Colo. Champions Letter to Mr. Buchanan being read in Congress, it produced all that Solicitude and Concern the Subject required² on the One Hand to recommend to the Assembly and State of Connecticut, who, they acknowledge, have ever distinguished themselves, not only in their ready Compliance with the Resolutions of Congress, but in their great Attention to every thing which tended to the Good of the Comon Cause and Interests of the United States, to revoke what they had so lately recommended them to adopt, would discover a Want of Consideration and too great a Fickleness in the Representative Body of the United States, and might much lessen the Influence of their future Resolutions. When they first recommended to the several States to appoint Com’tees to meet at N Haven, for the purpose of Regulating Prices³ etc. they found themselves, at that Time, on the Brink of a Precipice—such a rapid Progress of the Increase of Prices on every Article necessary to raise as well as support the Army, the amazing Demands on the Treasury, arising from such an Increase, become beyond all possible Provision for Supplies, or would very soon be the Case, besides sink’g the States in such an immense Debt, from which they never could emerge, Congress being sensible

² Cf. nos. 135, 137, *ante*.

³ See the *Journals*, Mar. 7, 14; cf. *ibid.*, Oct. 28, 30, Nov. 28. See also nos. 156, 287, *post*.

[147]¹ Mass. Arch., CXCIX. 110 (copy); Library of Congress, Force Trans., Mass. Recs., Letters, 1778, p. 110.

² See the *Journals*, Mar. 9, 11, 13.

³ The conference at New Haven on the regulation of prices was recommended in a report, adopted in part Nov. 23, 1777, presented by the committee of Congress to whom were referred (Aug. 18, 1777) the proceedings of a similar conference of committees of the New England states and New York. See, further, the *Journals*, Jan. 15, Feb. 16, Mar. 16, Apr. 8, May 7, Aug. 27, 1778; cf. *ibid.*, Mar. 9, 11, June 4, See also no. 123, *ante*, nos. 198, 205, 218, 234, 243, 321, *post*. For the proceedings in Congress on the earlier conference see the *Journals*, Aug. 18, Sept. 10, Oct. 27, Nov. 13, 22, 23, 26, 27, 1777; also these *Letters*, vol. II., nos. 592, 723, 736, 753, 760. Concerning a still earlier conference of the New England states (Dec. 26, 1776—Jan. 2, 1777), see the *Journals*, Jan. 28, 31, Feb. 4, 5, 12-15, 1777.

that this Rise did not wholly spring from the large Emissions of Bills or a Scarcity of Articles necessary for Consumption, but from a corrupt, avaricious, unnatural, infectious Disease, which was spread'g thro every state, and which Nothing but extraordinary Remedies could check and Controul that this was truly the Case appeared from the Prices being as extravagant in the states south of this where the Bills were very scarce, as where there was the greatest Plenty therefore as the last Resort, with the other Remedies proposed, a Recommendation for a Regulating Act, in which the several States should unite, was what would effect some valuable Purpose, but at present we have received no Confirmation but from the State of Connecticut. the other States are generally much slower in their Motions, and more feeble in their Efforts, but I could have wished, from the critical Situation of our Affairs with Respect to Provisions, and the absolute Necessity of Supplies of Beef coming from the Eastward, that the Effect of the regulating Act, so far as respects stallfed Beef, had been suspended till about the middle of June. Congress have immediately referred back Colo. Champions Letter and their Resolution thereon to our Assembly, which is expressed in general Terms, as they would not appear to give any positive Directions which should interfere with the Rights of the Legislature of any particular State, but they really wish, hope and expect, that the Act, so far as it respects Stallfed Beef, be suspended for a Time, for Ruin will ensue, unless every Obstruction be removed to every possible Supply of Beef till Summer fed Cattle can be procured.

I am etc.

ELIPHALET DYER.

Governor Trumbull.

148. HENRY LAURENS TO JONATHAN TRUMBULL, JR.¹

YORK TOWN 12th Feby [March] 1778.²

Sir,

I thank you for the justice you have done me in your favour of the 5th Feby which reached me no earlier than the 8th Inst. the abatement which my past direction of Addresses made to your proper stile, was not only inadvertent on my part, but the effect of misrepresentation from the Secretary of Congress from whom I had enquired in order to avoid error, or, giving Offence.

Upon reading the Journal after the Rect. of Your Letter of *³ your name and the erroneous Title, of course occurred. I judged this a proper juncture for correcting the mistake. for this purpose I intimated to the Secretary the claim which you had made in a Letter to me, and received a reply so very rugged, as had nearly carried me

[148]¹ Conn. Hist. Soc., Papers of Jonathan Trumbull, jr., vol. II., no. 120; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 18.

² In the Letter-Book the date is, correctly, "12th March 1778".

³ "The Letter which inclosed one from Mr Appleton—this being at the Treasury Board I cannot quote the precise date." [Note by Laurens.] The letter was read in Congress Mar. 12, but no date is given.

beyond the limits within which every Gentleman will confine himself in a Public Assembly. I treated the asperity of Mr. Secretary with silent contempt, and appealed by reading Your Letter to Congress. the Secretary turned to the Journals and produced Resolves from whence he had derived *his* Resolutions. other Gentlemen were at the trouble to prove from the same Journal of a subsequent date Vizt. on the 28th July 1775 that you had been appointed Pay Master of the *⁴ department. I was asked if I had seen Your Commission? That I was satisfied with your assurance of the fact and would not affront you, or any Gentleman, by such a demand, appeared to me the best reply to so giddy a question. the House happened to be extremely anxious to proceed upon business of the highest importance, and as most of the Members acquiesced in this opinion "that Colo. Trumbull should be properly addressed" and I beleive took it for granted the Journal would be altered, I judged it unnecessary to press the subject any further. I have delivered my sentiments in Public, and also to Colo. Dyer in private conversation, who promises me he will embrace a favorable opportunity for obtaining an amendment of the improper Entries.

General Gates has assured me that he knows you are Commissioned Pay Master General, this happened not from my seeking confirmation, but accidentally in the course of conversation, and I can perceive no impropriety but directly the contrary, in Mr. President Hancock's addition to the Resolve, which was intended to designate Jonathan Trumbull Esqr. to be chief or principal Pay Master within a certain district—and from the Character I have received of that Gentleman, considered with the depreciated value of *general* in the Civil Line, I cannot be persuaded to beleive that sheer thirst of Title, prompted his present Claim. I flatter my self Sir, that enough is said to assure you, I am not chargeable either with a want of respect for you, or of attention to my duty, in any of my former addresses; and that I am with great Esteem and Regard Sir,

Your obedient and humble Servant

HENRY LAURENS

Private.

Jonathan Trumbull Junr. Esquire
Pay Master General
in the Northern department.⁵

⁴ "I have not the Journal before me and neither Colo. Dyer nor I can recollect precisely." [Note by Laurens.]

⁵ In the Letter-Book the address is recorded as "Jonathan Trumbull Junr. Esqr. Paymaster General of the Forces in the New York department Lebanon". In the Letter-Book, at the close of the letter, is found also the following memorandum: "N. B. 14th. Sent him a distinct Cover of a Copy of the Resolve of 28 July 1775." According to the *Journals* (July 28, 1775), Trumbull was elected "Pay master of the forces for the New York department". Thereafter the *Journals* usually mention him as "deputy pay master general in [or "for"] the Northern Department", although with an occasional variation. For instance, May 13, 1777, he is called "pay master general of the northern department", and again Nov. 19. From the time of the episode mentioned in this letter the secretary almost uniformly records Trumbull as "pay master in the northern department", never "pay master general". Cf. no. 198, *post*.

For a similar protest from Governor Trumbull, involving the question of the proper form of address, see nos. 53, 84, 85, *ante*, 291, *post*.

149. THOMAS BURKE TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

YORK, PENNSYLVANIA March 12th 1778.

D. Sir:

. . . . The army is at present much in the same situation that it has been all the Winter. a Committee of Congress is at Camp in order to Enquire into and regulate the abuses and Insufficiencies therein. The Congress are much alarmed on account of the scarcity of Flesh provisions, and many splendid projects are contemplated but I fancy nothing will do unless the possessors of that Commodity can see prospects of gratifying their avarice. This vile principle if anything can, will mar our cause, for though America abounds with provisions we cannot get sufficient for a few Thousand men without expending Millions in the purchase of it. The Congress have yet resolved on nothing relative to our Militia,² indeed I cannot find that they have any Idea of a plan of Operations or System of Warfare for the next Campaign, and are not able to determin whether they will want them or not. I am myself of Opinion that our army will neither take the field early enough or be of competent Strength when it is collected, and I fear we shall be able to undertake nothing against the Enemy, but must act still on the Defensive, and prolong the War. this is far from being agreeable to my Ideas of good policy, but without force sufficient for an Offensive War, it is all that can be done. Virginia is the only State who has yet wholly agreed to ratify the Confoederation. The 24th of this month is assigned for passing upon it again. by that time I suppose all of the States will be Instructed. Maryland, and Connecticut have produced theirs. The former desires the western boundaries of the States claiming to the Mississippi or South Seas to be ascertained by Congress, and that all the Country west of the Frontiers not granted to Individuals should be common Stock.

The latter desires that no standing army be kept up in time of peace by the United States, or Pensioners supported by them, except persons disabled in war, that the quota of the public Expence be in proportion to the Number of People in each State. I shall Endeavour to procure copies of the several Instructions, and transmit them to you, but I suppose the next assembly will not take it up. They will deem it prudent to know the sense of every other State before they finally determin.³ I refer you to Mr. Penn for Intelligence. . . .

[149]¹ N. C. Hist. Comm., Caswell Papers; *N. C. State Recs.*, XIII. 378.

² Harnett makes a similar statement in his letter of Mar. 20 (*N. C. State Recs.*, XIII. 385). See Caswell to Penn and Harnett Feb. 7, and to Burke Feb. 15 (*ibid.*, pp. 31, 42). Cf. no. 66, *ante*, and the *Journals*, May 29.

³ See nos. 140, note 2, *ante*, 191, *post*. The *Journals* record Mar. 12 the reading of a letter of Mar. 4 from George Read to Thomas McKean and one of Mar. 9 from Caesar Rodney to McKean. Read's letter, largely pertaining to the Confederation, is in Read, *Life of Read*, p. 303. The principal part of Rodney's letter is found in Henkels, *Catalogue*, no. 1236, item 113. See no. 180, *post*.

150. JAMES DUANE TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

MANOUR LIVINGSTON 13th March 1778

Sir

. . . . The Plan of Congress, when I was last upon the Floor was by a sudden Irruption with 3 or 400 Volunteers, to attempt to burn the Enemy's shipping at St. John's and to offer a very considerable Bounty in case of success, the command to be given to General Starke who was supposed to be very popular in New Hampshire the western frontiers of the Massachusetts and the Grants and in every other respect qualified for the undertaking. The adventurous spirit of the Inhabitants in those parts, the danger to which they must be exposed while the British vessels command the Lakes and the prospect of a Great Reward if they should succeed in the attempt, were thought sufficient considerations to justify the proposition. To me it was given in charge by Congress, to confer with General Starke and deliver him his instructions and explain their views. This occasioned my repairing to Albany as soon as I could give him notice to meet me. At first he seemed sanguine that the scheme would be acceptable and vigourously supported by those over whom he had an immediate influence; but on examination it was found that a Reward which depended only on a prosperous Issue was too slender a Motive for the undertaking.² A proposal was therefore made to Congress to allow the Volunteers pay at all events, and the Bounty in case of success. But on General Gates' arrival at Congress the Plan was enlarged into its present Form, and the Command conferred on the Marquiss.³ Imagining it would be agreeable to you to have a full view of this transaction I have been thus circumstantial. I should have mentioned it to your Excellency when I had the pleasure of seeing you, the original Plan, but as it depended on secrecy I was enjoined to communicate it only to General Starke. Altho, we proposed to hold the Treaty with the Six Nations between the 15th and 20th of February it was not till the 27th that we had notice of their assembling. We repaired to John's town the 28th but they were so tedious in their movements that the business was not opened until Monday the 9th Instant. The number of Indians was something above 700 consisting of Oneidas, Tuscarores, Onondagoes, a few Mohawks, and three or four Cayugaes but not a single Seneca attended. The latter had the Insolence even to effect their surprize that while our Tomahawks stuck in their heads, their wounds were bleeding and their eyes streaming with tears for the Loss of their friends at the German flatts, we should think of inviting them to a treaty!

As I was on my journey to John's Town when I was honoured with the Receipt of your dispatches, it was too late for your Excellency to execute your Trust respecting the appointment of an additional commissioner for Indian Affairs. Before I left Congress it was pressed upon me

[150]¹ *Mag. of Am. Hist.*, XIII, 177.

² See the *Journals*, Dec. 3, 1777 (pp. 994, 999), and no. 26, *ante*.

³ The proposal mentioned does not appear in the *Journals*. See no. 46, note 5, *ante*.

to accept the office. I declined it, and on my promise to assist the Commissioner at the proposed Treaty if necessary the matter rested for that time. When I met the Commissioner at Albany the beginning of January to fix the Treaty it appeared that there was no prospect of General Wolcot's and no certainty of General Schuyler's attendance. We concluded therefore to recommend it to Congress to appoint additional commissioners which occasioned the power committed to you.⁴ The reason which induced me to decline the office of commissioner when my acceptance was requested by Congress is this. The Jurisdiction of this State over the Country of the Six Nations is unquestionable as well as ancient. On it depends the legality of all our settlers in the Mohawk Country. Apprehension that the interference of Congress might one time or other cross the rights or the Interest of the State, and that as a Trustee for Congress I might be embarrassed and restrained in supporting our separate and exclusive Jurisdiction, I did not see my way clear to engage in it. as far as I can judge there is some weight in the objection. I am however not the less obliged to your Excellency for the Testimonial of your good opinion in offering me the appointment. When I pay my Respects I shall take the opportunity of conversing further upon it. . . .

151. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

13th March 1778.

Dear General,

It is now late in the Evening I am just returned from Congress, have much business to prepare for a Messenger who is to make his excursion at the dawn of tomorrow and therefore only a Moment to intimate that Congress by a side wind this afternoons meeting were induced, but not without debate, to Resolve that General Washington be authorized to recall Marquis delafayette and Baron de Kalb to the Main Army.

this may reach you before a Mandate from the General and will afford so much more time to make necessary arrangements for the retrograde journey.²

152. JONATHAN BAYARD SMITH TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN March 16: 1778

Sir

Above you have copy of a resolution this day passed by Congress. The second resolution was moved but referred to a Committee who are directed to confer with Council thereon. The Committee are Mr. Clark Mr. James Smith and Mr. Henry.

⁴ The printed text has "append additional commissioners", but Duane no doubt wrote "appoint". See the *Journals*, Jan. 21 (pp. 73, 74), 31, Feb. 2, Mar. 28. Cf. a letter from Duane to Clinton, July 21, in *Clinton Papers*, III. 576.

[151]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 17.

² See the *Journals*, Mar. 13; cf. nos. 135, 137, *ante*, and 167, 168, *post*; also Lafayette to Washington, Mar. 25 (*Letters to Washington*, ed. Sparks, II. 93), and to Laurens, Mar. 28 (*S. C. Hist. and Geneal. Mag.*, VIII. 57).

[152]¹ Princeton Univ. Lib.; *Pa. Arch.*, first ser., VI. 365.

This affair appears to be of a delicate nature and may possibly tend to embarrass if not to injure. The view of Congress is I apprehend to be informed if possible of the intended precautions to be taken by the state preventive of any ill effects from liberating Messrs. Penn and Chew²

153. THE COMMITTEE OF CONFERENCE TO THE GOVERNOR OF
NEW YORK.¹

In Committee of Congress
CAMP 16th March 1778.

Sir

We do ourselves the Honor to enclose you the Arrangement of a continental Regiment upon the new Plan agreed to by the Committee according to which the old Battallions are to be modelled. It is at the same Time intended to dismiss from the Service such Officers as had better not be in it and should there be some worthy Men who cannot be employed consistently with our Plan to recommend them to Congress to make Provision for them. You will therefore be pleased to form the Regiments raised within your state (excepting such as are in this Camp) upon this Establishment with as much speed as the Nature of the Business will permit and transmit to this Committee a List of the Officers by you appointed and also such as are deserving and cannot be provided for. The Commissions will then be made out. The Method we followed was to obtain from the Field Officers of the Regiments who were to be confided in the Characters of the inferior Officers. Whatever Means shall appear to you best calculated for the Purpose your Good Sense will undoubtedly lead you to pursue. You will much oblige us Sir and contribute greatly to the public Service by taking the Trouble of this Business upon you

We are respectfully

Your Excellency's most obedient and humble servant

FRA DANA
by Order

Geo: Clinton Esqr.

154. WILLIAM ELLERY TO WILLIAM VERNON.¹

YORK TOWN M'h 16th 1778.

Dear Sir,

On the 11th instant I received yours of the 5th and Mr. Jno. Adams's of the 6th of February. . . .

I read that part of your letter, respecting the 74 at Portsmouth, and a Paragraph of one I recd., about the same time and upon the same Subject, from Mr. Whipple, to the marine committee, and it was agreed to stop the building of her for the present.² These huge ships are too

² See the *Journals*, Mar. 10, 16, May 14, 15, and no. 157, *post*. See also *Pa. Arch.*, first ser. VI. 61, 85, 367, 380, 389, 523. In regard to the imprisonment of Penn and Chew, see the *Journals*, July 31, Aug. 12-14, 28, 1777, and *Pa. Arch.*, first ser., V. 478, 512, 513.

[153]¹ N. Y. Pub. Lib., Myers Coll., Continental Congress, no. 47.

[154]¹ R. I. Hist. Soc., *Publications*, vol. III., no. 4, p. 25.

² See Paullin, *Out-Letters*, I. 209, 218.

costly and unwieldy; and it will require as many men to man one of them, as to man three or four frigates; besides we cannot with all the naval force we can collect be able to cope with the british navy. Our great Aim should be to destroy the trade of Britain; for which purpose Frigates are infinitely better calculated than such large Ships. Mr. Whipple proposes to the marine comm[itt]ee to put the timber prepared for the 74 into a frigate to mount 30 18-pounders on one deck, and this proposal I believe would be complied with if our finances were not at present very low and the demands of the great departments of war very high. I wish we may be able to finish, man, and get to sea, in the course of the next summer, the frigates that are now in hand; but I very much doubt it. It gave the marine comm[itt]ee great Satisfaction to find that the *Warren* had got out. . . .

The marine Committee lately ordered Capt. Barry of the *Effingham* to take the four Boats, belonging to the Frigates which are sunk in the Delaware, and proceed on a Cruise upon that River.³

. . . . You will have heard, before this reaches you, that the intended Irruption into Canada is laid aside. We are obstructing and fortifying Hudson's River, collecting men and provisions etc., etc., for the next campaign. The last will be the most difficult to accomplish. To have subdued both the British Armies in one Campaign was not more than I expected the last; but it would have left us nothing to do the ensuing Campaign.

With the Aid of Heaven we will crush the Serpent's head next Summer, and force our Enemies to be at peace with Us! I have room only to add that I am

Yrs

WM. ELLERY.

155. JOHN HENRY, JR., TO THE SPEAKER OF THE MARYLAND HOUSE OF DELEGATES (NICHOLAS THOMAS).¹

YORK TOWN 17th Ma[r]ch 1778.

Sir.

I should have done myself the pleasure of writing to you by the last post, but as the Confederation was to be taken up on the Day he left this place, I deferred writing untill I could have it in my power to acquaint you what was said upon that Subject, but before Congress rose the post had left Town.

Virginia ever desirous of taking the lead in this great Contest, was prepared and offered to ratify the Confederation. She stood single, and enjoyed a secret pride in having laid the corner stone of a confederated World. Massachusetts Bay, Connecticut, New York, New Jersey, Pensylvania, and South Carolina will confederate. The Delegates of some of these States have not yet received their Instructions, but are in daily expectation of them. New Hampshire, Rhode Island, Deleware, and Georgia could give Congress no satisfactory information of what had been

³ See *ibid.*, pp. 198, 200, 214, 217.

[155]¹ Md. Hist. Soc., Portfolio, IV. (61).

done in their several states, as they had received no authentic Intelligence upon this subject. There can be no doubt but these States will confederate. The Instructions which the Delegates of Maryland received from the Genl. Assembly were stated upon this occasion to Congress. Several of the States being unrepresented, and few Members prepared to combat our objections, produced but a short Debate. The Matter now stands postponed till the twenty fifth of this month.² As to the two first objections, from the present Temper of the House I believe they will meet with very little opposition. But as to the last, which requires Congress to be invested with full power to ascertain and fix the western Limits of those states which claim to the Mississippi or South Sea all attempts will be vain and fruitless; Equally unsuccessful will prove the Efforts made to obtain a right in common to that extensive Country which lies to the Westward of the frontiers of the United States, the property of which was not vested in Individuals at the commencement of the present war. Much has been already said in Congress upon this subject, and the opinions of those who will have the determination of it, has been long made up. The Argument may be renewed but the Decision will be the same. The bare mentioning of this subject rouses Virginia, and conscious of her own importance, she views her vast Dominion with the surest expectations of holding it unimpaired.

North Carolina has agreed only to the first second third eighth and 12th, the second and third Sections of the fourth, and the last section of 9th Articles which she has instructed her Delegates immediately to ratify. But the remaining Clauses and Articles, which, she believes, contains matters of the highest importance and involving what may materially affect the internal Interest and sovereign Independency of the state and which is not immediately necessary and essential to the success of the present war, ought not to be ratified till there is full time for mature and deliberate consideration.

Connecticut has instructed her Delegates to obtain an alteration in the mode of supplying the common Treasury with money by changing it from the value of Landed property to the Number of Inhabitants; if this cannot be done the Delegates are still empowered to ratify.³

Congress have with great earnestness, and with a Desire of impressing on the Minds of the several States, the necessity of filling up their Battalions recommended a Draft of the Militia, or other Measures that may be effectual. This I know will be a serious piece of Business in our state and dangerous to pursue. How it can be effected and at the same Time preserve the Temper of the people, I know not. It is possible the Legislature may fall upon ways and means without adopting the odious plan of Drafting.⁴

Congress is ex[t]remely thin, which you will discover by a resolve which has or will be soon sent you.⁵

² Burke mentions Mar. 12 (no. 149, *ante*) that the day fixed for consideration of the Confederation was Mar. 24, and the letter of Forbes of that day (no. 170, *post*) indicates that the subject had just been under discussion. See also nos. 162, 191, *post*.

³ See the references under no. 140, note 2, *ante*.

⁴ Cf. nos. 122, 131, *ante*.

⁵ See the *Journals*, Mar. 12.

156. CORNELIUS HARNETT TO WILLIAM WILKINSON.¹

YORK TOWN, March 18th, 1778.

Dear Sir:

. . . . Burgoyne's Army is stopped, you will see the particulars in the enclosed newspapers; I was not at liberty to Communicate this intelligence sooner.

Your Bills I fear will not be paid. I wish you had not been Concerned with them. I ever Cautioned you against having any connection with that man Kennon, but to no purpose; but it was unpardonable to have no other Indorser than his Clerk. The business of Congress was taken up the whole day on Kennon's Bills on Saturday last, and from the Complexion of the House I am well satisfied they will not be paid. I shall bring it on again, and if they are not paid, I shall have them regularly protested, which is, I fear, all that can be done at present, and will send them on by Post, to give you an opportunity of endeavouring to procure payment from his Executor or Administrator.²

157. A COMMITTEE OF CONGRESS TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK, 18th March, 1778.

Hon'd Sir,

Your Excellencies' Letter in Council of the 7th Instant, relative to the Prisoners sent from the state of Pennsylvania to Virginia, was read in Congress, and a resolution thereupon entered into, directing the Board of War to deliver them to the Order of your state, which Resolution, we presume, has been transmitted in the usual channel.

The latter part of the Letter which mentions the case of the Honble John Penn and Benja. Chew, Esqrs., occasions the subscribers to trouble your Excellency herewith, they having been appointed by Congress a Committee to Correspond with your state, and bring in a report to Congress on that subject. Those Gentlemen as Crown Officers, and holding Commissions under the authority of the King of Great Britain prior to the declaration of Independence, and yet taking no active part (that we know of against us,) since that Period, renders their situation very peculiar. in the first point of view they seem, under their present restraint, Prisoners of the United States; what is to be done with them consistent with Justice and the public safety, is a Question of much importance. If enlarged and permitted to go into Philadelphia what mischief may our Enemies doe under a Colour of their authority, even without their consent, if permitted to go at large in those parts of Pennsylvania in possession of the Whigs, as they are so intermixed with Tories, very mischievous consequences may arise. If confined in Pennsylvania for refusing a Test, it may occasion discontent and caballing.

[156]¹ *N. C. State Recs.*, XIII. 381.² *Cf. no. 146, ante.*[157]¹ *Pa. Arch.*, first ser., VI. 367.

Congress have no objection (we are inclined to think) to their being returned under the authority of the state, provided it can be done without danger to the state of Pennsylv. in particular, or the United States in general.

The Committee request such Information on the subject as your state may think proper to communicate, to enable them to form their opinion, and report to Congress for their determination.²

We have the Honour to be, with great respect,
your Excellencies most obedt servants,

ABRA. CLARK,
JOHN HENRY, JUNR.,
JAS. SMITH.

158. DANIEL ROBERDEAU TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, March 19th, 1778.

Sir,

The enclosed resolution was this Evening proposed to Congress, and after some debate, committed to the Delegates of this State, we therefore request Instructions from The Hon'ble the Council on the head, with their result on the other matters referred to them by us as soon as possible. A resolution has passed Congress recommending to this State to call out five hundred Militia, which will be forwarded to you by the President to which please to be referred.² I am in behalf of my Colleagues very respectfully, Sir,

yr most obt huml Servt,
DANIEL ROERDEAU.

159. JONATHAN BAYARD SMITH TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.).¹

YORK TOWN, March 19th, 1778.

Sir,

Upon an application from the settlers at Wioming or as they call it, "The Town of Westmoreland," Congress agreed to establish one Company of troops there for its immediate defence for one year. Congress has expressed this in the same terms in which a similar resolution passed two years ago, and which I believe was adopted on the consent of the Delegates from Connecticut and this State; at the same time establishments were formed for the defence of the other frontiers by establishing other corps

² See no. 152, *ante*. The Pennsylvania council's reply to this letter is in *Pa. Arch.*, first ser., VI. 389. Extracts of a letter from Chew to Robert Morris dated Mar. 31, 1778, relative to his imprisonment, are in Henkels, *Catalogue*, no. 1183, item 375. Morris's reply, dated Apr. 6, is listed in the same catalogue, item 44.

[158]¹ *Pa. State Lib.*, P. P. XLVI. 45; *Pa. Arch.*, first ser., VI. 374.

² See the *Journals*, Mar. 19. (p. 270). The "remainder of the report" referred to the delegates of Pennsylvania was the paragraph immediately preceding "Ordered", etc. The council's reply, dated Mar. 21, is in *Pa. Arch.*, first ser., VI. 380; cf. *ibid.*, VI. 370.

[159]¹ *Pa. Arch.*, first ser., VI. 371.

both with regard to Pensylv. and Virginia. The house is prepared for the same measures now on application (I believe) for that purpose. But the affair I imagined had been left to the Commissioners now at Pittsburgh at least as far as it respects the Vicinity of that place.²

In a letter received from Genl. Washington yesterday he speaks of the Enemys representation concerning the treatment of the flag bearers, and seems to labour under considerable difficulties on that head. An order passed Congress some time ago for obtaining from the Honble Council a state of that transaction as far as Council or persons under their authority were concerned. I wish it were done.³

The committee ordered to report on the memorial of the assembly and Council have not yet had an opportunity of laying before Congress their report. I have seen what they propose. Among other matters, they recommend that the price fixed by the State be adhered to, and that the waggon hire be settled agreeable to the act of our State.⁴

160. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
EGBERT BENSON.¹

20th March 1778.²

Sir,

Your Letter of the 31st Decemr. which I had the honour of receiving the 27th Jany, was immediately presented to Congress. the Members then present, expressed generally their regret that you had declined acting in the Commission for the intended "Enquiry" at Providence and ordered the Letter to be filed by the Secretary.³

From the method in which I found Congress habituated and against which I have sometimes remonstrated, it is not the presidents province to acknowledge the Receipt of Letters without the authority of a Resolve or special order, nor indeed, can he in many Instances even recite the date but by the aid of a good memory. hence I flatter myself Sir, you will be persuaded to believe, the seeming neglect of your former address is not imputable to me, at the same time tis my duty to declare—the opinion of Congress, from the sentiments delivered by Individuals, appeared to be that an appointment in your stead would have arrived posterior to the period first assigned for that Enquiry, and that the four other Gentlemen named in the Commission would all have given their attendance to the business.

² See the *Journals*, Mar. 13, 14 (report of the board of war), 16, 17; cf. *ibid.*, June 23. For the earlier action referred to see the *Journals*, Aug. 23, 1776.

³ The letter of Washington, dated Mar. 14, is in *Writings* (ed. Ford), VI. 422. Concerning the incident of the flag, see *Pa. Arch.*, first ser., VI. 217, 268, 380.

⁴ See the *Journals*, Mar. 10, 20; cf. nos. 117, 145, *ante*.

[160]¹ Library of Congress, President's Letter-Book, I. 236.

² The Letter-Book shows that this letter was sent by the hand of "David Barkley". See no. 16, *ante*, and no. 161, *post*.

³ The commission of which Benson was elected a member was that to inquire into the failure of the Rhode Island expedition. See the *Journals*, Dec. 11, 1777, and Jan. 27, Mar. 20, 1778; also no. 120, note 3, *ante*. Benson was at this time attorney general of the state of New York. In 1784-1785 and again in 1787-1788 he was a member of Congress. A sketch of him is in Appleton, *Cyclo. of Am. Biog.*

this Morning the Honble Mr. Lewis put into my hands and I presented to Congress your Letter of the 7th Inst. directed to the Delegates from New York the House made no order, but the unanimous Voice indicated an earnest desire that you will if your affairs can possibly admit of your absence from home join the other Commissioners, if they shall have judged it necessary to adjourn to a further day from the intended meeting on the 4 Monday in the present Month and give me leave from the best assurance to add Sir that in such Case your services will be highly acceptable.

161. JAMES LOVELL TO SAMUEL ADAMS.¹[March 20 ? 1778.]²

Dear Sir—

Mr. Dana is likely to be at Camp a Fortnight longer. I will make no Comments upon this. I have mentioned something like it as often to you as if *you* was the procuring cause of a regulation which has not yet proved beneficial to our state, for which end it was doubtless calculated. I must insist upon it that more than are necessary for a vote ought always to be attending, as a necessary provision against accident.³

New York has sent her Confirmation of the Confoederation in a most elegant and formal manner engrossed and fortified with the Great Seal of the State to be lodged among the Papers of the Continent the most precious.⁴ Our State is little attentive to such things and yet they are far from improper.⁵

162. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

YORK TOWN 20 March 1778

Dear Sir

. . . . Our committee are not yet arrived from camp, but are daily expected. it is expected they will on their arrival open a new field for Congress.²

I intend to set off on my return home some time towards the Middle of April. I shall then have been ten months from my family, and as our Assembly pay their Delegates so very Liberally, I have neither expectation or wish to return again, as I am convinced there will be many Candidates

[161]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² This letter is undated, but the contents indicate a date approximating Mar. 20. For instance, the New York ratification of the Confederation was probably brought to York Town Mar. 19, by David Barclay, and presented to Congress Mar. 20. See nos. 16, 160, *ante*, and nos. 162, 170, *post*.

³ See no. 44, *ante*, and nos. 164, 174, 203, *post*.

⁴ Cf. no. 73, *ante*, and note 2, above. See also no. 155, *ante*.

⁵ The ratification of the Confederation by Massachusetts (Mar. 10) had not yet been received, but Harnett says, Mar. 20 (no. 162, *post*), that the Massachusetts delegates had private information of it. See no. 203, note 7, *post*.

[162]¹ From the collection of the late Adrian H. Joline of New York; *N. C. State Recs.*, XIII. 385.

² See the *Journals*, Mar. 26, and no. 193, *post*.

for the Honorable employment; I am not one, tho' I shall think it my Duty to serve my Country to the best of my poor abilities, either with or without pay.

I suppose the Gen. Assembly will be adjourned before my return. I am sorry they had not Continued their Present Delegates until they were relieved by Others. This might have prevented our State from being unrepresented in Congress for two or three months at least, which must be the case as matters now stand.

Virginia has empowered her Delegates to ratify the Confederation. The Members from Massachusetts have also private Letters informing them that their State has also done it; I do not hear of any other States doing it as yet. Connecticut wish the Quota to be fixed by the number of people in each State; every Other Objection of theirs has little weight.

Every member of Congress seems to wish for a Confederacy except my good friend Burke who laughs at it as a Chymical Project, but does not strike me in that point of view. I think that unless the States confederate a door will be left open for continental Confusion and blood-shed and *that* very soon after we are at peace with Europe. I heartily wish I may be mistaken.³

I have the honor to be with the greatest respect
your Excellency's most obedt and very hu^l servt

CORN. HARNETT.

P. S. Upon enquiry I find the Delegates from the several States have power to ratify the Confederation, but are to endeavor to get some Alterations made if possible. Mr. Penn will give Your Excellency further information on this subject. The Gen. Assembly of N. York have agreed unanimously and have by Commission empowered their Delegates. As I have been informed some aspersions have been thrown out to the Prejudice of Mr. Penn, I must in justice to that Gentleman's Character assure your Excellency that his Conduct as a Delegate and a Gentleman has been worthy and disinterested.

163. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
GEORGE WASHINGTON.¹

21st March 1778.

Sir,

My last to Your Excellency was under the 15th by Sharp in which I had acknowledged the receipt of Your Excellency's favours of the 7th 8th and 12th and which I now repeat because I have heard nothing since, of that Man who in common course should have been at Camp on the 16th. within three days past I have had the honour of presenting to Congress Your Excellency's several dispatches of the 14th 16th and 17th. those of the 7th 8th and 12th are still in the hands of a Committee from whom may be expected a special Report respecting the many opprobrious terms and epithets scattered throughout the Papers from Sir Willm. Howe,

³ See no. 140, note 2, *ante*. Some remarks of Burke on the Confederation will be found in vol. II., no. 740. See also no. 191, *post*.

[163]¹ Library of Congress, President's Letter-Book, I. 237.

applied to the good people of these United States and to their Representatives in Congress, which were heard by the House with great Indignation. from expressions of sentiment by Members on all sides, it appears to be the general opinion, that such papers should have been marked with the contempt of an immediate return.²

164. JAMES LOVELL TO SAMUEL ADAMS.¹

[March 23, 1778.]²

23d. I misssdated my inclosed Scrawl. Brother Dana is this day in Congress but he will immediately return to Camp. He is bent to be at Home in May;³ he has been very industrious in serving the public, but it seems his own countrymen are totally laying open his Farm to destruction; I must also intreat for other reasons than his or Mr. Geary's relief that you and your Brethren would come forward. I think another Delegate, at least, should be chosen as Mr. J. A. is taken from the Corps which was to relieve the those [*sic*] who have stood a sad winters Campaign in York Town. . . .

165. THE VIRGINIA DELEGATES TO THE GOVERNOR OF VIRGINIA
(PATRICK HENRY).¹

YORK TOWN, PENNSYLVANIA 23. March .78

Nothing of moment having occurred since Col. Lee's last letter, we have only to communicate the earnest desire of congress that our new levies of troops may be sent forward to camp with the utmost expedition. The necessity of pushing this business with vigour arises from the present weakness of our army, and the great probability of the enemy's taking the field early with augmented force, and over running the country, or attempting something decisive against our army before it is reinforced.² The next grand object is to secure all the provision that can be engaged

² Washington's letters of Mar. 7 (with a continuation Mar. 8) and 12 were read in Congress Mar. 16. They are in *Writings* (ed. Ford), VI. 397, 414, (ed. Sparks), V. 253, 269. See also Washington's letters to Howe Mar. 9, 12 (*Writings*, ed. Ford, VI. 406, 415, 416, ed. Sparks, V. 263, 272), and Howe to Washington Mar. 10, 15 (*ibid.*, V. 538, 539). See, further, the *Journals*, Mar. 17, 19, 30. The action Mar. 30 (the appointment of a committee to prepare instructions for the commissioners appointed by Washington to negotiate a cartel for the exchange of prisoners) brought forth a letter from Washington Apr. 4, read in Congress Apr. 7. Concerning the action of Congress upon this letter see no. 188, *post*. Cf. nos. 88, 118, 139, *ante*.

[164]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² The sheet from which this extract is taken bears only the date "23d", and is found filed with Lovell's letter of Apr. 19 (no. 205, *post*); but the statement relative to Dana does not comport with such a date in April. It is, however, in accord with the date Mar. 23, for Dana appears to have returned to Congress that day (the *Journals* record his presence Mar. 24), and Gerry mentions, Mar. 28 (no. 174, *post*), that he was to return to the camp. Upon the whole the contents appear to be supplemental to the letter placed at Mar. 20 (no. 161, *ante*), though that letter, which is undated, may not be the "scrawl" which Lovell refers to as misdated.

³ Dana himself wrote to the president of the council (Jeremiah Powell) Mar. 29 that he intended to leave Congress at the end of April (Mass. Arch., CXIX. 67). He did not, however, leave until the middle of August.

[165]¹ Henry, *Patrick Henry*, III. 152.

² The earnest desire of Congress here alluded to is expressed in the resolves of Mar. 19. Concerning those resolves, General Gates wrote to Governor Johnson of Maryland Mar. 28: "I do myself the honor to inclose you the resolves of Congress of

for the troops, as many disappointments and difficulties have intervened to lessen the prospect of the abundant supplies that were expected.

Colonel Harrison's regiment of artillery is much wanted at camp, and congress wishes them to march immediately:

166. HENRY LAURENS TO BARON DE KALB.¹

24th March, 1778.

Dear General du Kalb.

. . . . I have no less than three Letters of Major Du Bois,² not yet presented to Congress I beg that Gentleman will be assured the delay is not imputable to me. I shall embrace an inviting opportunity to represent his Case and then he may depend upon receiving immediately the necessary information.

167. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE MARQUIS DE LAFAYETTE.¹

24th March 1778

Sir,

Your Letters of the 11th and 12th of this Month have been laid before Congress. they have considered the apprehensions you express, that you and General Kalb are to leave the command of the Troops in that part of the continent where you now are, to General Conway, and your request, of permission to go to France, founded thereon. they wish you to be assured, that they have a very high sense of your merit and attachment to America. they judge it of advantage to the public service that you and General Kalb be present with the grand Army, but when they came to this determination, had not yet resolved on a disposition for General Conway, and had no intention to make any injurious to your honour. they

the 19th instant respecting the troops destined to reinforce the grand army. Unfortunately after they were passed, they lay several days before they were handed to this board: but they demand the most immediate attention and execution. What gave rise to the first, was, an apprehension that the recruits might be detained in their respective states 'till they had been inoculated. This the present posture of our affairs absolutely forbids. The campaign will soon open; and with all the diligence practicable, it is to be feared the reinforcements will not arrive in time to enable the commander in chief to take measures the most necessary and advantageous, before the enemy get reinforced. General Washington has received intelligence that they are embarking troops at New York and Rhode Island; destined (it is said) for Philadelphia; and he is to the last degree anxious to have the reinforcements speedily join him; in the first place that he may be prepared for defence; in the second to take advantage of any favourable circumstance which may happen to injure the enemy.

"The recommendation to provide cartridge boxes and tin cannisters for cartridges is given, because of the almost total want of them in the public stores, and the impossibility of making a number in any degree equal to the demands of the army, in the public manufactories, where the workmen are few, and it is impossible to encrease them: agreeable to the direction of Congress, the board give the following description of the tin cannisters." (*Arch. of Md.*, XVI. 557.)

[166]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 25.

² See no. 173, *post*, and the *Journals*, Apr. 1.

[167]¹ Library of Congress, President's Letter-Book, I. 239.

expect this declaration, and the disposition since made for General Conway, will make it unnecessary to grant the permission you request.

By order of Congress.²

168. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

24th March, 1778

Sir,

. . . . Whatever had been the design, or if it might have been, as your Excellency charges, intended "deception" of the Board of War I dare again aver, that Congress were not in the project for leaving Genl. Conway in a separate Command in consequence of recalling your Excellency and Baron de Kalb from Albany. . . .

Congress have ordered a Letter to be written to your Excellency which I shall sign by direction and transmit herewith, together with a Resolve of yesterday, Ordering Genl. Conway to Peek's Kill under the Command of Major Genl. McDougall. there had been more than a few opinions for ordering him to York Town.

I trust your Excellency will do Congress the Justice to believe, they had never entertained the most remote intention to give you offence. I add and repeat with great pleasure that your Excellency is held by each Individual in the highest Esteem and the House very much relies upon the greatness of your Mind for security against groundless exceptions to any part of their conduct respecting yourself. these indeed are sentiments not dictated by Congress, but I know they are warranted. however your Excellency may retort, that my declaration in this case will require a little skill to reconcile it with the total Silence on the Subject of the piracy committed upon the packet of 20th Febr'y. even this most extraordinary conduct cannot be fairly urged as an exception to the professed Esteem and Regard for Marquis de Lafayette, although it may be inconsistent with that Veneration which the Representatives of the 13 United States should ever preserve for their own Character if they expect to escape Contempt through out the Universe. I should have been happy if your Excellency had passed that affair over for reasons which I had assigned but since it has been talked of and since the parties accused are acquainted with the circumstance, I am made very unhappy by a conduct which will endanger us to be exposed to future and greater Insults.²

It is impossible to do anything for the Officers mentioned by Colo. Armand until the arrangement at Camp is completed and 'tis probable your Excellency will meet the Committee there. I shall there transmit a

² This letter was drafted by a committee of Congress. See the *Journals*, Mar. 19, 21. See also nos. 126, 135, 137, 151, *ante*. Cf. the private letter of Laurens of the same date, no. 168, *post*. In regard to Conway, see the *Journals*, Mar. 23.

[168]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 22.

² See especially Lafayette's letters to Laurens, Feb. 23, Mar. 11, 12, *S. C. Hist. and General Mag.*, VIII. 3-14; cf. the public letter to Lafayette Mar. 24, *ante*, and nos. 126, 135, 137, 151, *ante*.

Duplicate of Mr. Duplessis Commission and of the Resolve upon which it is founded.³

It appears to be more and more the wish and purpose of Gentlemen here to return General Gates to his late Command in the Northern department, and there was lately the appearance of a pretty little attempt to render that Command Independent of all Orders but those of Congress.⁴ this will account to you at once for the silence on that head; how Major General McDougal may approve of being superseded after he shall have gone through the drudgery of Mechanical operations in and about the River is a matter of uncertainty.⁵

169. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF NEW YORK (GEORGE CLINTON).¹

24th March 1778

Sir,

. . . . Mr. Morris being still on Duty in a Committee at Genl. Washingtons Camp, the State of New York remains unrepresented I need not intimate to your Excellency that our Union is suffering in its most essential interests from a want of full and competent Representation—every state must have felt the Ill Effects of our general delinquency I hope we shall awaken by degrees and in time to ward off a lash which may otherwise prove intolerable.

170. JAMES FORBES TO THE GOVERNOR OF MARYLAND (THOMAS JOHNSON, JR.).¹

YORK TOWN March 24th 1778.

Dear Sir

. . . . Mr. Chase is just arrived, but seems to be determined to make but a short stay, on Account of the very bad accommodations this place affords.

³ Concerning Armand see the *Journals*, Jan. 2, 15, Feb. 3. A letter from Washington to Robert Morris Feb. 13, in reply to one from Morris Jan. 19, which has but recently come to light, relates specifically to the case of Armand. It may be seen in Henkels, *Catalogue*, no. 1364, item 521A. See, further, no. 288, *post*. For the resolve relative to Duplessis see the *Journals*, Jan. 19. The Laurens Letter-Book shows that Armand was the bearer of this letter, as well as of the two directly preceding.

⁴ Cf. nos. 126, 134, *ante*, and no. 176, *post*. This was especially in consequence of the Conway affair. One particular outcome of that affair at this time was the resignation (Mar. 25) of James Wilkinson as secretary to the board of war. The resignation was accepted by Congress Mar. 31, and the letter was ordered to be returned to Wilkinson "as improper to remain on the files of Congress". The letter is accordingly not among the Papers of the Continental Congress, but the text may be found in *Pa. Mag. of Hist. and Biog.*, XII. 55. That which Congress found improper for its files is probably the following sentence: "I could not consistently do Business with Major General Gates, after the Uncandid, Artful, Ungenerous and Unjust Practices he has employed to Dishonor me."

Wilkinson's resignation appears to have been by no means unexpected. As early as Feb. 21 James Wilson had written to General Gates, "From several Circumstances, which I have lately heard, there is much Reason to believe that a new Secretary will soon be appointed to the Board of War", and warmly recommends Capt. Robert Smith, "son of your Friend, the late Delegate in Congress", for that position. (Library of Congress, Portfolio 104.)

⁵ See no. 134, *ante*; also nos. 185, 204, *post*.

[169]¹ Library of Congress, President's Letter-Book, I. 240; *Clinton Papers*, III. 77

[170]¹ Md. Hist. Soc., Red Book, X. 63; *Arch of Md.*, XVI. 549.

Your Lettr to Genl. Gates on the Subject of an Embargoe and the *Virga*. Frigate was committed and a report ready but it has not yet been taken up in Congress I apprehend an Embargoe on provisions will take place, but am affraid a general one will not be agreed to ² when any thing material occurs shall do my self the honour of writing you and am very respect'y Sir

Your most Obedt Servt

JAMES FORBES

NB. *Virga*. and N. York only, have agreed on form to the ratification of the Confederation most of the other States have proposed amendments, but the Members say they are instructed to ratify, if the amendments cant be obtained. noe time fixt for taking up this matter in Congress.³

171. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO WILLIAM HEATH.¹

YORK TOWN 25th March 1778

Sir,

. . . . Yesterday I presented to Congress your favors of the 10th and 12th together with the Papers referred to it affords me pleasure to repeat that your correspondence with the British General at Cambridge from every sentiment expressed by Individuals continues to receive approbation. if my own was worth your acceptance it should with great warmth be added.²

Congress are not at all inclined to indulge Lt. Colo. Sutherland,³ indeed he could scarcely have expected it from his cautious and indirect application. as an old acquaintance I feel for that Gentleman's distresses. Would to God, there had been, or that there was even now, any sympathy on the other side. . . .

² The letter of Johnson to the board of war was that of Feb. 27, read in Congress Mar. 5. Concerning the *Virginia* frigate, see no. 143, *ante*. In regard to the embargo, see the *Journals*, June 4, 8, 10.

³ See nos. 140, note 2, 143, 149, 155, *ante*, 191, *post*.

[171]¹ Mass. Hist. Soc., Heath Papers, IX. 38; Library of Congress, President's Letter-Book, I. 241.

² See the *Journals*, Mar. 24. Cf. no. 106, *ante*. Heath's letter to Laurens Mar. 10 is in Mass. Hist. Soc. *Collections*, seventh ser., IV. 218.

³ Lieut.-Col. Nicholas Sutherland of the 47th Regiment (British). See the *Journals*, Mar. 24. Laurens's acquaintance with him doubtless antedated the Revolution, as Sutherland had served in America (in other regiments) prior to 1774 (Ford, *British Officers in America*). Mar. 4 he made application to General Heath for permission to return to England on account of his health (Papers Cont. Cong., no. 78, vol. I., f. 153). The application was accompanied by a statement of his physician, John Weir (Feb. 26, *ibid.*, f. 149). Apr. 11 Sutherland made application to Congress direct (*ibid.*, f. 161), accompanied by a further statement from his physician (same date, *ibid.*, f. 157), but Congress does not appear to have taken any action upon it. In May there were negotiations for his exchange for Col. S. B. Webb (Hist. MSS. Com. Report on American MSS. in the Royal Institution of Great Britain, I. 248).

172. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE CLYMER.¹

27 March 1778.

Sir

I duly received and presented to Congress the Letter you honoured me with under date the 7th Inst. together with several papers referred to.

Congress appeared to be impressed by a sense of your Zeal, and attention to the duties and importance of the Commission in which you are engaged² but laid no Commands on me by Act or Resolve, therefore I have at present only to add my own good wishes and assurances that I am

With great regard and Esteem

P. S.

The French Letter which came inclosed in yours contains nothing of moment that written in Spanish remains a dead Letter if Colo. Morgan will be so obliging as to acknowledge the Receipt and at the same time intimate that we have no person capable of translating Spanish it may induce the Governor of Orleans to address hereafter in French.³

[172]¹ Library of Congress, President's Letter-Book, I. 243.

² See the *Journals*, Mar. 21. Clymer was one of three commissioners sent to Fort Pitt, the other two being Sampson Matthews and Samuel McDowell. For the purpose of the commission and the appointments thereto, see the *Journals*, Nov. 20, Dec. 11, 15, 1777, Jan. 1, 10, Feb. 23, 1778. Cf. these *Letters*, vol. II., no. 746. The commission's report exonerating Col. George Morgan, dated Mar. 27, is in the *Journals* under Apr. 7 (see no. 190, *post*). The original is in Hist. Soc. of Pa., Dreer Coll., Stamp Act Congress, f. 76. A letter from John Nevill to the commissioners relative to the accusation against Morgan is *ibid.*, Generals of the Revolution, II. 124. Morgan's letter, transmitted by Clymer (Library of Congress, Papers Cont. Cong., no. 78, vol. XV., f. 317), is of particular interest for its bearing upon the Willing episode (see no. 109, *ante*). It is dated at Fort Pitt, Mar. 2:

"As an Opportunity offers for York Town, I take the Liberty to trouble you with the two inclosed Letters from the Governor of New Orleans and the Commandant at the Illinois in Answer to my Letter of the 22d. of last April which you have perused. My Intention in writing to the Governor was to relate to him the happy Situation of our Affairs, to learn his Disposition and to obtain his Permission for our sending from hence to New Orleans for Ammunition and Cloathing as proposed to Congress in my Letter of the same date — And, at the same time to sound his Inclination respecting our carrying an Expedition down the Mississippi to take Possession of West Florida, and its Capital Pensacola, which I am of Opinion is worthy the Attention of Congress As the Governors Letter is in Spanish, and there is no Person here who understands that Language, I presume you will think it necessary to send it to Congress to obtain a Translation of it, if possible, before you leave this Place, from which you will be enabled to write an Answer should you think proper."

³ The letter from the governor of New Orleans (Bernardo de Galvez) has not been found. That from Francisco Cruzat ("Francis Crurati"), lieutenant governor of Illinois, stationed at St. Louis, besides transmitting the letter of Governor Galvez, is a polite expression of interest in the American cause (Library of Congress, Papers Cont. Cong., no. 78, vol. V., f. 119). What is of especial interest, in view of what Laurens says about the want of anyone at York Town capable of translating Spanish, is the statement of Cruzat that the difficulty of finding a trustworthy person capable of translating English has delayed for some time the expression of his joy over the happy success of the Americans, and his suggestion that, if in future Colonel Morgan would send his communications in French or Spanish, he would receive a more speedy answer. Cruzat's letter bears an endorsement: "Recvd and Examined this 17 Jany 1778 J. Willing", and also an endorsement by George Morgan that the letter was received by him Feb. 24, 1778, by express.

173. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

27th March 1778

I was honoured this Morning Dear and much Respected Marquis by the receipt of your favor of the 20th.²

Your Excellency's Letter to Congress is Reported and Committed to a Select Committee. our business of this nature proceeds slowly therefore I will not detain the Messenger but return him tomorrow Morning with this. Such determinations as Congress may make in consequence of the expected Report from Committee will in all probability meet you at Valley forge. I presume you will commence your retrograde journey soon after the return of the present bearer.³

8th April. Notwithstanding what is said above I have detained this Messenger 13 days, from day to day hoping the next would produce Commands from Congress, but the Committee to whom your Letter was referred have not yet Reported.⁴ Excuse us good Sir. We are indeed deeply engaged in very important and complicated business, but in order to remove anxiety which this long delay must have occasioned I will not keep this back an hour longer. I think you will soon be at Valley forge, where Baron Stüben is making great improvements and giving much satisfaction to every Body. will you Sir be so obliging as to inform Major DuBois that I have duly presented his addresses to Congress that these are referred to the B. of W.⁵ and that the moment I am furnished with subject I will do my self the honor of writing to him.

174. ELBRIDGE GERRY TO THE PRESIDENT OF THE MASSACHUSETTS COUNCIL (JEREMIAH POWELL).¹

YORK IN PENNSYLVANIA 28th March 1778

Sir

. . . . The State of Massachusetts since January last, has been unrepresented in Congress, in Consequence of a Resolution appointing Mr. Dana on a Committee for reforming the Army: he has lately returned from Camp for the Advice of Congress on a Subject of Importance, and having obtained it, is again to meet the Committee.²

[173]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 27.

² Lafayette's letter of Mar. 20 is in *S. C. Hist. and Geneal. Mag.*, VIII. 14.

³ Lafayette says in his letter of Mar. 20: "as I am assured the express is a man to be depended upon I trust him with my dispatches, be so good as to send him or one other back very fast, for I am much tired of seeing those english here about—they are doing nothing but mischief and I wish they would be soon out." The Letter-Book records that the messenger who bore this letter was Fonda.

⁴ See the *Journals*, Mar. 27. Apparently no report was ever made by the committee.

⁵ Board of war. The address of DeBois is probably the letter of Mar. 11, read in Congress Apr. 1. No report on the letter appears to have been made. Cf. no. 166, *ante*; also the *Journals*, Apr. 29, May 13, 19.

[174]¹ Mass. Arch., CCXVIII. 235.

² Chiefly, it would appear, upon the question of half-pay. See the *Journals*, Mar. 26-28, 31, Apr. 1, 2, 16, 17, 21, 25-27, May 8, 9, 12, 15. Cf. nos. 65, 161, 164, *ante*, 182, 185, 191, 193, 201, 202, note 4, 203, 206, 211, 222, 231, 242, 247, 255, 258, 267, 282, 287, 288, 292, 293, 302, *post*.

many States require but one, others two, and Massachusetts alone three Members present to have a Vote; and should the same Rate continue with Respect to the latter, It may hereafter be found necessary to have at least four Members present, for preventing the Inconveniences wch necessarily result from the Want of Voice in Congress.³

175. ABRAHAM CLARK TO JEREMIAH WADSWORTH.¹

March 29. [17]78

Mr. Wadsworth is desired to peruse the enclosed regulations, and Signifie his pleasure whether he is willing to Accept the Appointment of Com'ry gen'al, and whether he find any defect in the System of Consequence Sufficient to require a reconsideration. the information may be given to Mr Dyer or his Hum. Servt.² ABRA CLARK

176. HENRY LAURENS TO JOHN LAURENS.¹

29th March 1778.

My Dear Son,

. . . . It grieved me the other day, as it has done upon many similar occasions, to be made the Instrument of transmitting positive orders to the Commanding Officer of a detachment from Genl. Washingtons Army without passing through the Medium of the General I spoke of it and intreated to pursue a regular course. the answer was by a Gentleman who entertains high notions of the Sublimity of his own judgement—What Sir, have not Congress a right to give what Orders they please to their Officers? is it possible I can err in being of a contrary opinion with necessary references to that respect which is due to a Commander in Chief and to the well ordering and safety of the Army. Consider I entreat you and answer me.² I refer in this Instance to a late Order to General Smallwood a Copy of which you will find inclosed and my inquiry is for information.³ If I am right in my present Idea—I have been so, in numberless past Instances—and I will speak to the Members out of Congress and put them upon their guard against improper Acts which I am persuaded have not been pursued from any design to affront the General.

Some Men hold power and ommiscience to be synonymous, I do not. . . .

³ Cf. no. 28, *ante*, and no. 203, *post*.

[175]¹ Collection of George C. Thomas, Philadelphia, Signers.

² This letter is addressed to "Jeremiah Wadsworth Esqr. in York Town", and is endorsed, "Letter from Mr A Clark 29 March recd same day 1778". Mar. 29 was Sunday. On Monday morning, Mar. 30, the *Journals* record that Mr. Wadsworth had arrived in town, and a committee, of which Clark and Dyer were members, was appointed to confer with him. Probably therefore the date of this letter should be Mar. 30. Clark was, however, also a member, although Dyer was not, of the committee on the reform of the commissariat system, appointed Jan. 14. The regulations submitted to Wadsworth were doubtless those of Mar. 13. See nos. 62, 84, 123, 141, 142, *ante*, and nos. 196, 205, 234, *post*; also the *Journals*, Apr. 2, 3, 8, 9, 14, 16.

[176]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 28.

² Cf. nos. 126, 134, 168, *ante*. John Laurens's reply, Apr. 5, is in *Army Correspondence*, p. 153.

³ See the *Journals*, Mar. 23, 26, Apr. 10, 13, 15, 20, 23, and nos. 207, 208, 210, 217, 220, 230, *post*.

177. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

30th March 1778

Sir,

I had the honor of writing to Your Excellency yesterday by Gen. duportail.²

At reading the Journal this Morning Congress reconsidered the Act of the 28th for authorizing Count Pulaski to raise a separate Corps and expunged the words "Prisoners and" which stood in the last sentence and your Excellency will receive within the present Inclosure a Copy of the Act as now amended.³

178. FRANCIS LIGHTFOOT LEE TO GEORGE WEEDON.¹

YORK TOWN March 31, 1778

Dear Sir,

I am sorry to inform you that the report of the board of Genl. officers was sent by the Com'tee, to Congress, and is agreed to. I laid the whole matter before them; but they were of opinion, that the surest way of not injuring the feelings of military Gentlemen was to conform to the ideas of the Gentlemen of the Army. this, I assure you, was the principle which directed their Determination and not any preference given the other gentleman.²

You will do an essential service by hastening on the men. it is the opinion of the board of War, not to wait for inoculation, as there is little danger of infection while in the field.

[177]¹ Library of Congress, President's Letter-Book, I. 247.

² Laurens's letter of Mar. 29 was principally to transmit the acts of Mar. 19 and 28 (see note 3, below).

³ The resolve appears in the *Journals* (Mar. 28) only in the amended form, and the *Journals* of Mar. 30 contain no record of the amendment. Washington had written to Congress Mar. 12 asking that, if not too late, the mention of prisoners of war in the preamble to the resolutions of Feb. 26 (*Journals*, p. 203) be eliminated, particularly on the ground that this preamble recited as a fact, namely, that prisoners of war had been enlisted in the army of the United States, what had never within his knowledge taken place (*Writings*, ed. Ford, VI. 414, ed. Sparks, V. 269). Meanwhile Washington's letter of Mar. 7, touching other aspects of the resolves of Feb. 26, was under consideration (see no. 163, *ante*). This part of the letter of Mar. 12 was referred to the board of war (Mar. 16), and a letter of Mar. 14 (*Writings*, ed. Ford, VI. 422, ed. Sparks, V. 276), relating to the proposed corps of Count Pulaski, which involved the question of the enlistment of prisoners, was also referred to the board (Mar. 18). The board appears to have made a report Mar. 19, but action was not taken by Congress until Mar. 28 (see also the *Journals*, Mar. 30). Washington's request respecting the preamble of the resolves of Feb. 26 had probably come too late, but why, in plain view of this request, the words "prisoners and" were inserted nevertheless in the resolution of Mar. 28 (as first adopted), and then stricken out two days later, is not clear. See nos. 301, 311, 324, 325, 548, *post*.

[178]¹ Haverford College, Roberts Coll., 722; Brotherhead, *Book of the Signers*, p. 267. The letter was addressed to Weedon at Fredericksburg, Va.

² See the *Journals*, Mar. 19, and nos. 70, 95, 99, note 2, 104, *ante*. In the arrangement adopted Woodford had been placed first in rank among the four, and Weedon last. Weedon accordingly resigned, Apr. 13. In August he endeavored to have his case reconsidered (*Journals*, Aug. 18), but succeeded only in obtaining permission to retire, retaining his rank. Cf. no. 495, *post*. The whole question was stirred again in Congress (on a memorial from Muhlenberg) Dec. 29, 1779, but without effect. Weedon was called into service again June 16, 1780. See Joseph Jones to Washington, May 23, 1780, in the next volume of these *Letters*.

179. CORNELIUS HARNETT TO JETHRO SUMNER.¹

YORK TOWN 1st April 1778.

Dear Sir:

. . . . Mr. Penn and myself while he was here moved Congress several times to have the Brigadiers recommended by our General Assembly immediately commissioned; but as there are several other Colonels, in other Brigades, who are also to be appointed, Congress have postponed the matter until the Gents are fixed upon, in order that they may rank agreeable to the dates of their Commissions as Colonels.

This measure must very soon take place, and hope to have it in my power to congratulate you and Col. Clark on your appointment.² Mr. Burke says he will not Stir in it.³

180. THOMAS MCKEAN TO GEORGE READ.¹

YORKTOWN, April 3d, 1778.

Sir,

When I attended the General Assembly of this State, in December last, they obtained a promise that I would give a little assistance in drafting some bills, at their adjournment in March, at which time I accordingly, in pursuance of a letter from the Speaker, went to Lancaster, and, having stayed there ten days, returned to York on the 19th. During the interval your favor of the 4th of March, by Lieutenant Frazier, arrived at York, and by the advice of the express, was opened by the President, and read in Congress. It was well there was nothing private in it, and I must confess you gave me more agreeable prospects of our little State, and more sincere pleasure, than anything relating to it had done for three years past. I congratulate you on the Whig election in Sussex. With such a General Assembly as the present, what could I have done, or rather, what could I not have done? Sure I am you will make a proper use of this most fortunate occurrence, in which there appears visibly the hand of Providence, which can alone save this deluded State. Though the resolve for completing the quota of troops by drafting in the several States passed against my consent, yet as Virginia, Maryland, Pennsylvania, the four New England States, etc. have agreed to it, I should have been glad even if the General Assembly had proceeded no further in this business; this would have showed a respect for the recommendation of Congress, encouraged the recruiting service by making it the interest of every individual in the State, and prevented an opinion that I had

[179]¹ *N. C. State Recs.*, XIII. 392.

² See no. 7, *ante*. The recommendation of Sumner and Clark for election as brigadier-generals was in a resolution of the general assembly, Dec. 15, 1777, (see *N. C. St. Recs.*, XII. 208, 386, 389), laid before Congress Feb. 10. They obtained their promotions Dec. 29, 1778. See, further, Burke to Caswell, Jan. 10, 1779, in vol. IV. of these *Letters*.

³ The explanation is probably to be found in the protest (Aug. 14, 1777) of the North Carolina field officers against Burke's espousal of the appointment of Brig.-Gen. Edward Hand to command the North Carolina troops. See *N. C. State Recs.*, XI. 750.

[180]¹ *Life of Read*, p. 307.

wrote to the General Assembly against the measure, which I never did, nor, indeed, did I ever hint the matter to any person whatever.

As to the proviso in the second section of article ninth of the Confederation, quoted by you, to wit, "provided that no State shall be deprived of territory for the benefit of the United States," my opinion is that it must be referred to the subject-matter of the preceding paragraph, and may, by a fair construction, mean that in a contest between two States respecting boundaries, the territory taken from the one shall be added to the other, and not adjudged for the benefit of the United States; and yet, I confess, I have apprehensions that it may hereafter be insisted to mean what you seem to fear. Some gentlemen with whom I have conversed on this affair say, if the intention of Congress was that Virginia, etc. should be deemed at present to extend to the South Sea, yet no injury could arise from thence to any of the United States, for that Delaware, for instance, has a right to apply for one or more townships for their troops, to be laid out equally with Virginia in that State, without paying any purchase-money, or any other expense, more than that of surveying, which Virginians themselves must pay; and that if that State increases its inhabitants it will have more to pay towards the support of the government of the United States, and in the same proportion lessen the burden of the other States; but if Virginia, etc. grow too large, the people themselves will insist upon a new State or States to be erected, even if Congress should be passive, and no good reason can be assigned for refusing such a requisition whenever it may be proper to grant it. The Stockbridge Indians in New Hampshire and Connecticut, the Oneidas in New York, etc., were, I suppose, the objects of the fourth section of the same article. The third section of the ninth article seems to have been calculated for the disputed lands of purchasers under Maryland and Delaware, and Maryland and Pennsylvania; but upon the whole, it may not be an improper method of adjusting such controversies. If Delaware had been represented in Congress at the time the finishing was given to the Confederation it would, I am persuaded, have been a public benefit as well as a particular one to that State; but matters are too far gone, I fear, to procure any alterations, so many States have already empowered their delegates to ratify it; however, I will exert every nerve to accomplish any measure which shall be recommended by my constituents, who may think it advisable to direct their deputies to endeavor to procure any explanation of certain doubtful expressions in different articles, if they should not think it proper to do more.

Nothing has been effected with regard to President McKinley; but as the cartel for the general exchange is now debating and settling between three commissioners on the part of General Washington and the like number on the part of General Howe, in Germantown, where they met on the last day of March, I hope in a few weeks something favorable for him may be done.²

If you can procure any clothing for the Delaware battalion it may be useful, but I am confident there is sufficient for the whole army already

² See nos. 90, 149, note 3, *ante*, and no. 462, *post*. Read's letter of Mar. 4 is in *Life of Read*, p. 303.

purchased by Congress for above a year, and yet I am told the most of the troops are naked. Peculation, neglect of duty, avarice, and insolence in most departments abound, but, with the favor of God, I shall contribute my part to drag forth and punish the culprits, though some of them are high in rank, and characters I did not suspect.

You will also receive a little pamphlet of the Earl of Abington, which is worth your perusal.³ General Rodney is not yet arrived, nor could I procure a lodging for him in town when he comes; indeed, when I return I shall be at an equal loss for myself. This is discouraging, but we must not expect much comfort during this great and glorious struggle. It is reported Howe is recalled, and is to be succeeded by Lord Townshend. This will be an active and, I fear, a bloody campaign.

I find you give up the command-in-chief to General Rodney, so that perhaps it may suit you to come to Congress.

181. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
GEORGE WASHINGTON.¹

YORK TOWN 4th April 1778.

Sir,

Since my last, of the 30th ultimo, per Barry, I had the honor of receiving and presenting to Congress your Excellency's favor of the 29th of that month, which, having been taken under consideration, the inclosed act was this day resolved, for empowering your Excellency, when you shall judge it necessary, to call on the States of Maryland, Pennsylvania, and New Jersey, for five thousand militia-men, armed and accoutred.²

P. S.

Evening 9 oClock. M. de Francis³ this moment delivered me Your Excellency's favour of the 1st Inst. which shall be presented to Congress on Monday. Meantime permit me Sir to intimate that I had backed the Report of Your Excellency's Letter of the 27th of Febry with an information to Congress that, one Gentleman of the late Committee on the Ticonderoga Inquiry had retired, and that it was impracticable for me to give that attention which was due to an affair of such importance. A new Comm'ee was immediately appointed. these Gentlemen some 8 or 10 days ago offered a Report; when Mr. Duer interposed arguments which induced the House to Postpone the Consideration, for two days. I have taken the liberty to name that Gentleman because his declared motives for delay were coupled with assurances of particular considerations respecting Gen Schuyler. this very Morning I called on Mr. Duer and reminded him of his engagements, urging the painful situation in which his friend and the other Gen Officers remained. he replied "I will soon bring on that business." your Excellency's present letter will prove a further incitement.

³ See no. 107, *ante*, and nos. 330, 335, *post*.

[181]¹ Library of Congress, Letters to Washington, XCII. 74; *ibid.*, President's Letter-Book, I. 250; *Letters to Washington*, II. 96.

² Washington's letter of Mar. 29 was received Apr. 1 and referred to the board of war. The board's report (Apr. 3) was referred to a committee of Pennsylvania, New Jersey, and Maryland delegates (*Journals*, p. 305), and the committee reported Apr. 4.

³ Francy. See index to the *Journals*.

I have very long felt, for the Gentlemen who are subjects of the Enquiry and although it was with extreme reluctance I obeyed the order of Congress, to be of the original Committee, after having urged such reasons for exemption as appeared to me very forcible, yet I cannot charge myself with delinquency at any stage in the course of our proceedings. To account for the uncouth and entangled state of this Enquiry would not be half so difficult as it might be impertinent to the proper line of my correspondence. from this consideration I shall only add, that I trust your Excellency's present application will have that weight which is justly due.⁴

182. WILLIAM ELLERY TO THE GOVERNOR OF RHODE ISLAND
(NICHOLAS COOKE).¹

Sir:

YORK-TOWN April 5th 1778.

. . . . Important questions are on the carpet, whether an establishment at half pay for life or term of years shall be allowed to *military* commissioned officers who shall continue in service to the end of the war? Whether any provision shall be made for the widows of those Officers who have fallen or shall fall in battle, and whether some allowance shall be made to such soldiers as enlist during the war and shall continue in the service to the end of the war? The first is the great question. A Question of such magnitude, in my opinion, that I am one of those who think it ought to be referred to the consideration of the States. At present it is postponed at large. When it shall be resumed it will be moved that it should be so referred; but whether the motion will meet with success or not is uncertain. I could wish to be instructed by my constituents how to give my voice especially on the capital question, and will beg leave to expect it. If I should be called upon, before I receive the Instructions I wish, and shall expect, to give my vote, I shall do it as shall appear to me to be right, and if I should not jump² in Judgment with my constituents, I hope I shall not be censured.³

⁴ Washington's letter of Apr. 1 (read in Congress Apr. 6) pertains to the charges against General St. Clair. His letter of Feb. 27 was read in Congress Mar. 5. See also the *Journals*, Mar. 6. The committee on the Ticonderoga inquiry was appointed Aug. 28, 1777. It consisted of Henry Laurens, Richard Henry Lee, and John Adams. Dec. 26 three members were added to the committee, namely, Francis Dana, John Witherspoon, and William Ellery. Jan. 20, 1778, James Lovell was substituted for Dana. Jan. 27 James Smith was added to the committee. Feb. 5 the committee was ordered to transmit to General Washington the evidence collected. Mar. 6 Washington's letter of Feb. 27, relating to the inquiry, was referred to a committee consisting of Ellery, James Smith, Dyer, and Lovell (see also the *Journals*, Mar. 10). This is doubtless the new committee to which Laurens refers. All except Dyer were previously members of the Ticonderoga committee. No member of the original committee now remained upon it. John Adams had been sent as commissioner to the court of France, Richard Henry Lee had been absent since December preceding (he resumed his seat May 1), and Laurens, as explained in this letter to Washington, was excused from serving further on the committee. The *Journals* make no record of the presentation by the committee of a report "some 8 or 10 days ago". Cf. vol. II., no. 781, and nos. 189, 191, 232, 243, 308, *post*.

[182]¹ R. I. Arch., Letters to the Governors, p. 59; Staples, *R. I. in Cont. Cong.*, p. 168.

² The printed text has here "agree", but the manuscript reads "jump". Cf. vol. II., no. 592.

³ For the course of the half-pay proposition, consult the index to the *Journals* (Half-pay), and see no. 174, note 2, *ante*.

183. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
PRESIDENT OF THE BOARD OF WAR (HORATIO GATES).¹

6th April 1778

Sir,

Within the present Inclosure you will receive a paper containing Information against Mr. Swanwic a young Gentleman at present in the service of the Honble Robert Morris Esquire to which for particulars I beg leave to refer.

By order of Congress I shall transmit one Copy of the Paper to Mr. Morris and request him to make an immediate and full enquiry into the conduct of the young Man respecting the charges alleged against him. Congress desire the Board of War will pursue such measures as shall appear proper and necessary for discovering facts. if there has been a criminal or unjustifiable correspondence between the said Mr. Swanwic and any person under protection of the Enemy, the Board may judge it necessary to dispatch proper persons to inspect without alarm the papers of the Mother of the Culprit. the Name of the Informant is known but reserved for the present at her particular desire.²

184. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO ROBERT MORRIS.¹

6th April 1778.

Sir,

In obedience to an order of Congress passed this Morning I transmit a paper within the present inclosure containing an information against Mr. Swanswick, a young Gentleman in your service, to which for particulars I beg leave to refer you.

Congress request and confide in you, to make immediately the most diligent and effectual enquiry into the conduct of Mr. Swanswick respecting his correspondence with Philadelphia and other charges intimated in the paper referred to. the Name of the person who gave the Information is known but at present reserved by her particular desire.²

[183]¹ Library of Congress, President's Letter-Book, I. 252.

² This letter was addressed to Gates at Lancaster. The order of Congress here referred to is not recorded in the *Journals*. See, however, no. 184, *post*, and the *Journals*, Apr. 15. While John Swanwick had allied himself with the American cause, his father, Richard Swanwick, had remained a Loyalist. A letter from the latter to Robert Morris, Apr. 1, is in the Library of Congress, Morris Papers. Some letters of John Swanwick, Mar. 12—July 9, 1778, and other Swanwick materials were among the Morris Papers listed in Henkels, *Catalogue*, no. 1183, items 435, 437.

[184]¹ Library of Congress, President's Letter-Book, I. 252; Henkels, *Catalogue*, no. 1183, item 191.

² See no. 183, *ante*. Morris replied Apr. 7 (see the *Journals*, Apr. 8) that while he was surprised at the accusation and believed the information transmitted by Laurens to be founded on suspicion, he would nevertheless discharge Swanwick at once. He added that Swanwick was useful for his knowledge of French and German, but that the insinuation that he made false translations was groundless, for Morris himself knew enough French to detect impositions (Library of Congress, Papers Cont. Cong., no. 137, Appendix, f. 225). In a letter to Laurens Apr. 13 Morris declares that, after an examination of Swanwick and the letters from his father, he is convinced of Swanwick's perfect innocence (*ibid.*, f. 229).

185. HENRY LAURENS TO JAMES DUANE.¹

YORK TOWN 7th April, 1778.

Dear Sir,

I have been in possession of your favour of the 16th March about 8 days. after you are informed that Congress have in the mean time been sitting every day from 9 A M to the same hour at night and some times an hour longer you will not wonder that I have not so fully executed every one of your commands as otherwise I should have done, but be assured Sir none of them shall lie unnoticed.²

Our Accounts from Great Britain are as you will read in the inclosed Paper—from the City below, no appearance of excursive steps until reinforcements shall be received. Deserters assert positively that Gen. Howe's Baggage is embarked and that he will follow it immediately upon the arrival of Lord Townsend who is expected daily, to assume the Command—admitting the embarkation, a change of Command is implied.

An Exchange of Prisoners was intended and Commissioners had met at German Town the 31st March. last Evening I received dispatches from our General, from whence I infer, the business is interrupted by a late Act of Congress which I transmitted the very day on which the Commissioners had convened. The Letter has not yet been presented to Congress, but has undergone severe strictures from a knot of our friends who called here late at night and conned it over. I will give no opinion at present, yet I have the vanity to think if you were in York we should not differ, had you been present, certain ambiguities, I do not say contradictions, would not have taken place in our Acts—but this is underground, I will wait the event of that debate which in three or four hours I shall *hear* in the multitude of Counsellors. Gen. Lee in the mean time has reached Valley Forge on his Parol only—an actual Exchange it is said would have taken place but for the circumstance just now alluded to.³

Intelligence from Fort Pitt, very dark—the Officer McKee who had been at large on Parol, gone off to Detroit and carried with him an Interpreter and four other Men, the Savages engaged in daily butcheries on the guardless Country people. our Commissioners had at length assembled, they write sensibly and seem resolved to proceed with vigour. Colo. Morgan had passed a strict enquiry and was acquitted with honor and the Court have subjoined to the acquittal an handsome recommendation.^{3a} since the flight of McKee the minds of the People have been again agitated by suspicions of Gen. Hand who has renewed his intreaties for a successor in order that he may come within.

Baron Stüben has condescended to Act the Drill Master as well as the Inspector in Camp, he has hit the taste of the Officers, gives universal

[185]¹ N. Y. Hist. Soc., Duane Papers, IV. 387; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 33; N. Y. Pub. Lib., Bancroft Coll., American Papers, III. 151 (copy).

² Duane's letter of Mar. 16 was read in Congress Mar. 28 and referred to the board of war.

³ See no. 163, *ante*, and no. 188, *post*.

^{3a} See the *Journals*, Apr. 7; cf. nos. 172, *ante*, 190, *post*.

satisfaction and I am assured has made an amazing improvement in discipline. a Young correspondent ^{3b} of mine who is a very honest Man and not very ignorant and who had always regretted the deficiency of discipline, tells me if I were present I should be enchanted by the change suddenly made in the grand Camp.

I am confident if the States are in earnest and will send *in* reinforcements in time to partake the benefit of the Current reform we shall not be driven much further from the Ocean. the present newly adopted encampment, Gen. duportail assures me, is tenable against the Enemy's utmost efforts by their present powers.

We are menaced and not slightly, with the loss of all our good Officers unless a Peace establishment is made. this has appeared to me unjust, unseasonable ^{3c} and a compliance under *threats*, dangerous, and the reasonings in favor of the measure, "a total loss of virtue in the Army", the worst adapted in the whole circle of ratiocination for converting me. In the first place I cannot believe it. if I could, I would say, every Man to his Tent. tis a matter of indifference to me whether the Tyrants name be George or Dick—not an argument adduced in favor of the measure but will apply generally to every person zealously engaged in the present dispute and to thousands more forcibly than to our Officers in general. the Remedy proposed is also inadequate to the relief, upon the grounds on which the Claim is set up. half Pay to commence seven Years hence will not add a Shirt nor a bottle of Wine to a complainant General Officer in the mean time. I will not be further troublesome at this Instant. I may hereafter submit my sentiments at large to your better judgement with permission. the object is stupendous; view it in either light. the danger of losing "ALL" "ALL" your "good" Officers, or that of getting "*no more*" Men, and "losing those you have"—one of these Evils may be remedied—but from my own feelings I trust, who have already lost a great Estate and am in a fair way to part with the present small remainder, there are many Thousands whose hearts are warm with the reasonings which induced the original Compact and who have not bowed the Knee to Luxury nor to Mammon.

'tis time to turn to your Letter, from whence I have thus digressed, from casting my eye on your Complaint of the dearth of News—you will forgive all that is said too much. I have not time to retrospect, nor genius nor inclination for refining phrases into no meaning, besides, I dare trust you Sir with my first thoughts, those upon the half pay establishment are rooted in my mind—hitherto the strongest arguments in favour of the measure have been the *necessity*, and for avoiding the consecutive threatned evils. The Justice and propriety of the Act would have made some impression upon such a heart as mine, but "portents and prodigies are lost on me". the project we are clearly informed originated in a sphere above Regimental Command; it was a work extremely practicable to roll it down Hill, the application comes in not directly, but

^{3b} John Laurens.

^{3c} Laurens clearly wrote *unseasonable*. See pp. 177, 183.

through a medium and Clothed with terror—but whither am I again wandering.⁴

P. M. 3 o'Clock. Just returned from the Chair, and while the morsel is removing from the Cabouse to the Table, before I take up your Letter let me add a word. If you delight in contracting an enormous debt to a Crafty powerful foreign State, your absence from this Mornings services has lost you much pleasure.⁵ I have executed your several Commands. And while I think of it let me add, your Public Letter was in due time presented to Congress and referred to the Board of War from whence I have learned nothing concerning it—unless the Board have included the subject of yours, in their Report on Gen. Schuylers Letter, not yet considered by the House.⁶

The arrival of Majr Gen. McDougall at Fish Kill has anticipated an answer to your enquiry, who is to command in the Highlands? but, whatever might have been General Washington's intention when he ordered that Gentleman to repair to that Post, 'tis probable this Command will be but temporary. it has been said and repeated that Gen. Gates must soon take the Field and in your quarter—and although this is mere out of door talk I would wish you to understand it, as said to a Member of Congress.⁷ Under the same stipulation if you and I were *tête à tête*, I might attempt to account for the amazing neglect of North River, I might add at least twenty other neglects, and possibly as many Acts which ought to have been neglected—make an aggregate of these and transfer the whole to the debit of the general Account of the thirteen *United free and Independent*⁸ States of America. What Representation had ye for upward of three precious Months, when those things were done which ought not to have been done, and those left undone which ought to have been done? Why—9 States—9 or 11 Members when we could collect them—seldom 15—17 made a very full House—you well know Sir, the unavoidable drudgery of Committees requires more *hands*—I am not competent to Lecture upon *heads*—nor need I attempt description to a Gentleman so well acquainted with the sagacity of the Stock which he left upon hand—be this as it may, I do aver and will maintain, the United-States and not their few Pack Horses are blameable. the United States have acted, and 'tis far from impossible may be whipped, like Children. Often have I lamented the neglected state of North River as well as of many other essential works—whatever may be the event, I shall feel some consolation from a reflection, which it would be unbecoming to boast of. I still trust we are not quite too late; tis true danger appears that Lion which I have beheld for three Years past Couchant, always well apprized of his unexerted powers, is now roused, his Eyes flash and he growls; if he has strength to Roar and expand, we shall retrospect with pain.—be it so; let us not be stricken by fear, let us be animated and Wise—there is

⁴ On the question of half-pay see no. 174, note 2, *ante*.

⁵ See no. 186, *post*.

⁶ See no. 189, *post*.

⁷ See nos. 134, 168, *ante*, and no. 204, *post*.

⁸ These words are written in large, bold letters, which is Laurens's more usual method of indicating emphasis.

Wisdom in America, let it be collected—strength and success will be the Issue—but no time is to be lost—I do not hold it impossible, we shall hear of some attempts to accommodation as a prelude to the ensuing Campaign, admit the belief of a change in the Command at Philadelphia and the suggestion will not appear extravagant—but we need not distress our minds by apprehensions that the very first article will be a confirmation of American Independency—and who can dry eyed contemplate submission.

Your hint respecting a Committee for North River and that department, is valuable, but in our meagre state respecting numbers and qualities, can we spare a respectable detachment? when could we have spared such a one? why, My Dear Sir, may we not appoint Men of abilities including diligence, of the vicinage to act as Commissioners and to receive compensation from the Public for devoting their whole time and attention to the Public service? This consideration if we pursue it will lead us into a large field from whence we shall not be able to return before night, therefore let us go back.

The Marquis has indeed as you observe been in an awkward situation. I have sometimes felt pain on his account, but most from an inspective view of consequences which might follow a vindictive assertion of his honour. I trust however that his greatness of mind and his attachment to our Cause, will dictate the propriety of seeming a little blind and a little unfeeling upon a late determination.⁹

I entertain an high opinion of that Noble personage. As a General and a Commanding Officer I am persuaded he would have given great satisfaction in the Northern department. When I reflect upon the alacrity with which he obeyed the order of Congress to penetrate Canada, his Zeal for the public Interest and upon the propriety of his whole conduct during that short lived Command, and at the same time take into view certain concomitants to the Act of remanding him to Valley forge, I admire his magnanimity and grieve for the mistakes of some of our good friends.

If you said anything in your public Letter relative to your friend Genl. Schuyler, as I think you did 'tis not at present in my power to reply particularly I surrendered the Letter the Morning it came to hand to the Board of War where it now Sleeps.¹⁰ we have indulged the New Board in an exceeding bad practice, making Reports and detaining the subject referred—you perceive in an Instant how many inconveniences this produces, one which I feel is, an inability in many Cases to answer Letters with perspicuity and dispatch

 I am Speaking to a Member. I write to the general Officially. . . .

God protect you and yours, free from the assaults of our Enemies, you being safe, your neighbors will be so, I include you all in my prayers and I beg you will believe I always hold you in a very respectable light and am with great Regard,

⁹ The suspension of the expedition into Canada. See the *Journals*, Mar. 2, 13, and nos. 135, 137, 151, 167, 168, *ante*.

¹⁰ In a letter to Robert Morris, dated Mar. 19, extensive extracts of which are found in Henkels, *Catalogue*, no. 1183, item 153, Duane pleads in particular for speedy attention to Schuyler's case.

186. HENRY LAURENS, NOTE ON PROPOSED PLAN OF SETTLEMENT WITH
RODERIQUE HORTALES AND COMPANY.¹

[April 7? 1778.]

N. B. This was the plan proposed by Mr. M—— to settle what has been done.² I do not make any observations upon it, because you comprehend much better than I can do the whole meaning of it. upon remark of some other gentlemen of the Commercial Committee, Mr. M—— has altered that first plan of Settlement, and has blended what has been done and what is to be done, So that what is done should be almost the rule of what is to do, and I am certainly very far from agreeing to it.

187. A COMMITTEE OF CONGRESS TO BENJAMIN RUSH.¹

Sir,

Your letters of the 25th of February to General Washington, and of the 9th of March, to Mr. Roberdeau, of which we presume you have draughts, having been laid before Congress, produced an Order, of which, the inclosed is an authenticated copy.²

We wish to proceed in this business, so as to obtain the most perfect information of the mal-practices, if there are any of the Director General; ³ and to this end, we desire that you will be pleased to ascertain with precision, and transmit to us, the charges, and upon oath the evidence you have, or can procure, against him; also, the names of the witnesses, and places of their residence.

If there are any difficulties in the way of your collecting the evidence upon this important subject, you will be pleased to point them out; with, if in your power to do so, the means of removing them.

We are, Sir, Your most humble Ser'ts

WM. HY. DRAYTON

SAML. HUNTINGTON

YORK TOWN April 7, 1778.

W. H. D. for MR. BANISTER.

188. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 8th April 1778

Sir,

I had the honor of writing to Your Excellency the 4th by Jones, since which I have presented to Congress Your Excellency's favors of the 1st 3d and 4th. Upon reading the first I took occasion to intimate to

[186]¹ S. C. Hist. Soc., Laurens Papers, vol. XXVII. ("Congressional, 1779").

² This first plan of Robert Morris cannot now be found. Concerning the second plan, see no. 281, note 2, *post*. Cf. nos. 109, 133, *ante*.

[187]¹ Library Company of Philadelphia, Ridgway Branch, Rush MSS., XLIII. 47.

² See the *Journals*, Apr. 3. Washington's letter of Mar. 21 is in *Writings* (ed. Ford), VI. 437.

³ Dr. William Shippen, director general of hospitals. Concerning an earlier stage in the controversy between Dr. Rush and Dr. Shippen, see nos. 59, 69, 83, *ante*. The *Journals* do not record a report from this committee. A letter from Rush to the committee was however read in Congress June 4.

[188]¹ Library of Congress, Letters to Washington, XCII. 76; *ibid.*, President's Letter-Book, I. 253; *Letters to Washington* (ed. Sparks), II. 98.

Mr. Duer the distressed situation of his friend General Schuyler as described by the General himself in a late Letter of the 15th March and this morning suggested again to the House the demands of all the General Officers subjects of the suspended enquiry. I shall repeat the same to Morrow and having just now obtained the concurrence of Gentlemen in private conversation that Congress are guardians of the Honor of their Officers I flatter myself there will be no further delay of this business.²

Your Excellency will receive under the present Inclosure an act of Congress of the 7th for promoting Captain Lee to the Rank of Major of Horse and to the Command of a separate Corps. I perceive it is not expressed in the act but I am warranted to assure your Excellency it is the particular desire of Congress that suitable declarations of that Gentleman's merit should be expressed either within the intended Commission or by annexing to it the abovementioned act a certified Copy of which Major Lee will receive by the present dispatch.³

Consideration of Colonel Lee and Major Swasey's applications is postponed a few days for particular reasons.⁴

I shall direct the Secretary of Congress to collect the dates of the late resignations of Colonels in the Virginia line and transmit an account to your Excellency when obtained.

Your Excellency's last Letter of the 4th is at present the subject of a special Committee. 'tis probable a Report will be offered to Morrow morning.⁵

² See nos. 181, 185, *ante*, and nos. 189, 232, 243, 308, *post*; also the *Journals*, Apr. 6, 7, 29.

³ Washington's letter of Apr. 3 relative to the promotion of Capt. Henry ("Light Horse Harry") Lee is in *Writings* (ed. Sparks), V. 303. See also John Laurens to his father Mar. 28, in *Army Correspondence*, p. 149.

⁴ These were Col. William Raymond Lee and Maj. Joseph Swasey, of one of the Massachusetts continental regiments. Their resignations, dated Jan. 24 and Mar. 17, respectively, were accepted by Congress June 24. A letter from Washington to General Heath Apr. 8, concerning these resignations, is in the Library of Congress, Washington Papers.

⁵ Following the Letter-Book copy is this note in Laurens's hand: "I detained the Bearer to this hour 3 o'clock the 9th hoping to have transmitted an answer to Your Excellency's Letter of the 4th." Washington's letter of Apr. 4, read in Congress Apr. 7, is in *Writings* (ed. Ford), VI. 459, (ed. Sparks), V. 306. For some reference to its antecedents, see no. 163, note 2, *ante*. The reply of Congress as prepared by a committee is in the *Journals*, Apr. 10, with erased passages showing the several amendments. (The index figure "2" on p. 330 is, however, misplaced. The note applies to the clause in square brackets.) The letter as finally adopted Apr. 13, and sent to Washington over the signature of the president with the date Apr. 14, is in the Library of Congress, Letters to Washington, XCII. 45, and is printed in *Letters to Washington* (ed. Sparks), II. 103, also in an appendix to Washington's *Writings* (ed. Sparks), V. 539. The letter-book copy (President's Letter-Book, I. 258) has this annotation by Laurens: "Copy of a letter, produced by amendments in Congress on a draft prepared by a committee in answer to Gen. Washington's letter of the 4th April—the draught presented the 9th debated at divers meetings and Resolved the 13 April ½ p. 9 o'clock P. M." Washington replied to this letter Apr. 18 (*Writings*, ed. Ford, VI. 472, ed. Sparks, V. 316), and transmitted the report (dated Apr. 4) of the commissioners (William Grayson, R. H. Harrison, Alexander Hamilton, and Elias Boudinot) appointed to negotiate an exchange of prisoners (see the *Journals*, Apr. 20). The instructions to the commissioners Mar. 28, and Washington's letter to Howe relative thereto Mar. 29, are in *Writings* (ed. Ford), VI. 442. See especially Boudinot's *Reminiscences*, no. 202, note 6, *post*; also Hamilton to Clinton, Mar. 12, *Writings of Washington* (ed. Sparks), V. 306 n. Cf. nos. 191, 192, 202, 233, 235, 300, *post*.

Previous to the receipt of Your Excellency's advices Congress had determined to make a purchase of divers articles set forth in Capt. Cottineau's schedule of his cargo and for this purpose a gentleman will proceed to morrow on his journey to Cape Lookout by whom Your Excellency's Letters will go Forward.⁶

189. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO PHILIP SCHUYLER.¹

8th April 1778.

Sir

On the 28th Ulto. I had the honor of receiving and presenting to Congress your favor of the 15th which was immediately referred to the Board of War from whence a Report came up the 3d Inst. but this has not yet although frequently offered, been taken under consideration, consequently I have received no Commands. I have on this and a similar Case detained the bearer hereof from day to day hoping upon each the next would have produced the desired effect at length, persuaded it will save some expence to the public and even afford you Sir, some satisfaction I have submitted to the importunities of Mr. Green² by consenting to his return, but I cannot let him go without adding a word on the subject which must, most nearly, affect your mind.

Some time in February the Committee appointed to Enquire into the Causes of the loss of Tyconderoga etc. presented such Evidence as had been collected to Congress and by order, transmitted the whole to Genl. Washington, and then the Comm'ee were discharged.³ the General in a Letter of the 27th Febr'y intimated a necessity for stating Charges. a New Comm'ee was thereupon appointed, who soon after offered a Report which was about to be determined upon the 28th Ulto. when the Honble Mr. Duer interposed arguments which induced the House to postpone the intended consideration for two days⁴ I take the liberty to name that Gentleman because his declared motives for delay were coupled with assurances of particular considerations respecting Genl. Schuyler and because there can be no ground for doubting the goodness of his intentions. on the 4th Inst. I called on Mr. Duer reminded him of his engagement and urged the painful situation in which his friend was suspended. yesterday I directed the secretary to repeat the call Genl. Washington has again written upon the subject. I was in hopes this would have proved an incitement, but all remains still dormant. I hope to give no offence, but I will this very Morning remind Congress of the business again.⁵

⁶ Concerning Captain Cottineau's cargo, see the *Journals*, Mar. 31, Apr. 10 (p. 333), May 22; cf. *ibid.*, June 13. See also *N. C. State Recs.*, XIII. 119, 126; cf. *ibid.*, pp. 85, 93, 111, 120.

[189]¹ Library of Congress, President's Letter-Book, I. 255; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 39.

² The bearer of Schuyler's letter.

³ See the *Journals*, Feb. 5.

⁴ See the *Journals*, Mar. 5, 6, 10, 28. Cf. nos. 181, 188, *ante*. Washington's letter of Feb. 27 is in *Writings* (ed. Sparks), V. 243.

⁵ Cf. no. 188, *ante*. The *Journals* do not indicate that the Ticonderoga matter was brought up either Apr. 8 or 9. See the *Journals*, Apr. 29, June 12, 20, and nos. 232, 243, 308, *post*.

Be assured Sir, I have long Sympathized with Gentlemen who are Subjects of that Enquiry, abstracted from all Ideas of Censure or applause, and although it was with extreme reluctance I obeyed the order of Congress to be of the Original Committee after having offered such reasons for exemption as appeared to me to be forcible, yet I cannot charge myself with delinquency at any stage in the course of our proceedings. to account for the uncouth entangled state of this enquiry would not be half so difficult as it might be improper in the line of official correspondence, therefore I shall only add that my endeavors shall be continued for putting it in motion.

190. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE MORGAN.¹

9th April 1778

Dear Sir,

The day before yesterday I had the honor of presenting to Congress your favour of the 7th Inst. which was referred to a Select Committee and remains unreported, consequently I have received no Commands on that subject. nevertheless I cannot suffer Mr. McLeland² to return without intimating that the Enquiry into your conduct by the Commissioners at Fort Pitt is approved of by Congress, that the House have ordered it to be entered upon the Journal and to be published to the World, a circumstance which with the utmost pleasure I communicate by the earliest opportunity.³

191. THOMAS BURKE TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

YORK PENNSYLVANIA April 9th, 1778

No State has yet absolutely instructed its Delegates to ratify the Confederation except Virginia and New York, and none except those and Connecticut Maryland and our State have transmitted any instructions at all.² The Congress have at present no leisure for entering upon it

[190]¹ Library of Congress, President's Letter-Book, I. 256.

² James McClelland appears to have brought the despatches from Fort Pitt, and (as indicated in the Letter-Book) was the bearer of this letter. Cf. the *Journals*, Apr. 9.

³ Laurens of course made a slip of the pen when he gave the date of Morgan's letter as "7th Inst." It was read in Congress Apr. 7, but according to the *Journals* it was dated Mar. 31. The certificate of the commissioners to Fort Pitt relative to Morgan's conduct, which bears the date Mar. 27, is made a part of the record Apr. 7, but there is no order to publish it. A copy of the certificate had probably already been sent by Morgan to President Wharton of Pennsylvania (see *Pa. Arch.*, first ser., VI. 386; also no. 172, *ante*). The committee to whom were referred the commissioners' letter of Mar. 31, which related to the general situation in the west, and that of Morgan made a report May 2, but there is no mention of Morgan in that report. A copy of the letter, as well as of the consequent resolves, was transmitted by Laurens to Washington. Concerning the initiation of the inquiry with regard to Morgan, see the *Journals*, Oct. 22, Nov. 20, 1777, and these *Letters*, vol. II., nos. 705-707.

[191]¹ Harvard Univ. Lib., Sparks MSS., XXVI. 478 (extract).

² See nos. 149, 162, and the references in no. 140, note 2, *ante*. The instructions from South Carolina relative to the Confederation must, however, have been received by the delegates prior to this time, for John Rutledge wrote to Henry Laurens Feb. 16: "By the inclosed papers you will perceive that several amendments are proposed by the

being much engaged in what relates to the Army. A Committee which has been a long time at Camp, has proposed some alterations in our Military System, tho I think they have not reformed any of its capital abuses which are want of discipline in the men and want of industry in the Officers. they have proposed to reduce the number of battallions from 116 to 88 and the number of Officers in each battallion from 40 to 29.³

Two subjects very much engage our attention at present, and we all wish on one of them to be particularly informed of the sentiments of our constituents. These subjects are, a general exchange of prisoners, and an establishment for the Officers of the army after the War. The former meets with many difficulties from the opposite views and interests of the contending powers, and also from the secret wishes of some Officers in the Army. This last is conjecture, but many of us are convinced of the reality of its foundation. The enemy want their men and Officers, but are very unwilling to let us avail ourselves of the experience and abilities of General Lee, we want the General and have determined that his release shall take place, or no exchange at all be permitted. We insist that the enemy shall pay for the provisions we give their troops, when prisoners, in hard money, or replace them in Quantity and Quality. They are unwilling to agree to this, we are desirous that all traitors should be delivered over to the Civil Magistrate to be punished agreeable to the Laws of the States to which they respectively belonged. The Enemy are unwilling to admit this distinction, but desire all to be considered as prisoners of War. finally Sir we are many of us persuaded that some Officers in the Army wish not for the release of General Lee because his enterprising disposition, and Marital genius will be a strong contrast to their want of both, and we find by undoubted testimony, that it is a prevailing opinion in the Army that no regard ought to be paid to the Penal Laws of the States in settling the exchange of Prisoners but that all ought to be deemed prisoners of War. A letter from General Washington relative to this affair is now before Congress wherein he recommends that the Laws be suffered to sleep is his expression, and that a rule of practice be adopted directly contrary to them; but this proposal met with very great and almost general opposition and indignation in Congress. It appears to most of us that giving up a matter of this kind is betraying our independence and in effect giving a licence to the enemy to recruit in our country. If we suffer our citizens who adhere to our enemies, and actually take arms against us to be considered as prisoners of war, and subject to no municipal laws, I see not where our independence remains, and we cannot conceive that even Congress can dispense with

Assembly and Legislative Council to the articles sent from Congress; that our delegates are empowered to ratify a confederation, but that they are instructed to use their utmost endeavours to get the alterations proposed by this state adopted. . . . I asked the Assembly's leave for your return, and they have given it, when a representation shall arrive in Congress. You are, however, reelected; your colleagues are Messrs. 'W. H. Drayton, Thomas Heyward, John Mathews, and Richard Hutson. . . . Drayton says he will set off next Monday, so that he will be with you very soon after you receive this." (*Correspondence of Henry Laurens*, p. 93.) Drayton took his seat in Congress Mar. 30. See, further, no 243, note 4, *post*.

³ See the *Journals*, May 18-20, 26, 27, 29, June 4. See also no. 193, *post*.

such Laws much less a Cabinet Council of Military Officers. These are the sentiments, I believe of a great majority in Congress as well as mine, and I venture to say the matter will be peremptorily insisted on.⁴

The other matter, that is, the establishment for Officers has cost us much time and debate, but the favourers of it have not yet ventured a Question on it, the proposal is from the Committee who were at Camp, strongly supported by the Commander in Chief. It is to make a provision of half pay for life after the end of the War for all Officers who shall continue in service until that period, and to extend this provision to the Widows of Officers who may be Slain, also to make such half pay transferable under the Controul of Congress and to subject the Officers to be again called by Congress into the service occasionally.⁵ In support of this it was alledged that at present the Officers having no permanent interest in their Commissions, it is not possible to reduce them to discipline, because whenever the necessary strictness and severity is observed they threaten to resign a Commission which affords them no prospects but of pain, danger fatigue, and ruin to their private fortunes. That it is unjust to sacrifice the time and property of the men whose lives are every day exposed for us without any prospect of compensation, while so many who are protected by their valor and exertions are emassing princely fortunes, that unless something of this kind is done we cannot long expect to have an Army, because the Officers being unable even to subsist on their pay have already expended much of their private property and would be entirely ruined were they to continue; in a word Sir that without it we can have no discipline, and almost no army. On the other hand it is alledged that the Officers in the Army are and ought to be actuated by the principles of patriotism and public spirit, and ought to disdain motives of private interest, that enough will always be found to command our Troops who will deem the service of their Country and gratitude a very ample compensation. That making such an establishment will involve the idea of a standing Army in time of peace to be at the disposal of Congress and that the rights of the States of appointing the regimental Officers will be reduced to nothing, that its effect will be to keep a great number of People idle Pensioners on the public who ought to be restored to useful industry, that it will be burthening the country with an expence for Officers at the same time that the Soldiery must be supplied from the Militia. That since it cannot certainly produce an army exclusive of the Militia no good can be derived from it for which we ought to hazard such inconveniences. But the most formidable argument is that the Congress being instituted only for the purposes of War have no power without particular instructions, to make any peace establishment. For my own part Sir, I cannot help admitting the force of the arguments for this measure so far as they prove the necessity of holding up the prospect of some adequate Compensation for the Officers and Soldiers likewise, but I do not approve of the mode

⁴ See nos. 181, 188, 189, *ante*, and nos. 232, 243, 308, *post*.

⁵ The committee offered some resolutions relative to half-pay Mar. 26, immediately upon their return. On May 18 they presented their plan for regulating the army. Concerning the half-pay establishment, see no. 174, note 2, *ante*.

proposed. The arguments drawn from Patriotism and public spirit may be fine and specious, but I choose to trust to some principles of more certain, lasting and powerful influence for the defence of our country. There will be room enough for their full operation after every thing else in our power is done. The fear of a standing Army arising from this establishment, has no great weight with me. This War will make too many of our people Soldiers to leave us any thing to apprehend from a standing Army in one generation. The few in each State whom the fatigues and consequent infirmities of a long and painful War will induce to indulge an indolent ease are not in my opinion an object of any consequence, the argument of want of power is no more conclusive against this than against borrowing money which must be paid and its interest in the mean time kept up by revenues which must continue long beyond the War, but it is not conclusive against either if the necessity for raising and keeping together an army be admitted. The argument with respect to the power of the States, in appointing the regimental Officers cannot be denied, but I hope after the present war we shall not have occasion to exercise that Power again in the age of any man now living. In short Sir I could get over all the objections if the number of Battallions were so reduced that no State should be obliged to keep up more than they can man exclusive of draughts from the Militia but so long as it tends only to keep Officers in pay without regular troops under them, so long as our States are required to keep up a number so much beyond their proportion and ability, I cannot agree to it. It will not have the effect of producing a good Army which may prevent the necessity of calling on the Militia, and so long as a country must employ its Militia, the expence and injury arising from it is sufficient burthen without an established list of Pensioners. I shall use my endeavour to have the number of Battallions from our State reduced because I am convinced they cannot be filled by recruiting and to fill them with draughted Militia is much too heavy and unequal a burthen for us. And if the establishment can be so moddled as to make provision only for Officers who shall have regular Troops to command I shall consent to it if it shall be determined during my stay.

192. HENRY LAURENS TO JOHN LAURENS.¹

My Dear Son

9th April 1778

. . . . I am greatly distressed by circumstances now in agitation respecting your friend. I think I once said "I hope he will never afford him or them his own consent to hurt him."²

193. FRANCIS LEWIS TO PIERRE VAN CORTLANDT.¹

Dear Sir,

Mar. [April] 10. '78.

. . . . About two months ago Congress sent a Committee of their body to camp, in order to consult with the General upon a mode for

[192]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 41; Hist. Soc. of Pa., Dreer Coll.

² The allusion is to Washington. See no. 188, note 5, *ante*, and the *Journals*, Apr. 10. For the quotation, see no. 22, *ante*; cf. nos. 27, 52, *ante*.

[193]¹ Harvard Univ. Lib., Sparks MSS., XII. 40.

regulating the Army.² Mr. Danna, one of that Committee is returned with a report for the new arrangement of the Army, in which it is proposed to reduce the present establishment to 88 Battalions, each to consist of one Colonel, one Lieut. Colonel, one Major, six captains, one Captain Lieut., eight Lieuts., nine Ensigns, the Staff to be appointed out of the line. The Qr. M's General for the grand Army are already appointed, vizt. Major Genl. Greene, with a Col. Cox and Mr. Pettit (both of this State) as assistant Qr. Mas'r's General. There has been great complaints of neglect and peculation in this department, into which a strict inquiry will be made.

The Report proposes *half-pay* to all commissioned Officers on the new establishment, who shall remain in the service at the end of the War. Congress has already employed a week, *de diem in diem*, debating warmly upon this point, and nothing yet determined; the half-pay scheme meets with great opposition, the House divided in a Committee of the Whole, the question not yet put, but will I believe tomorrow; if carried in the affirmative (which is still with me a doubt), it will be for a limited term of years, and not for life.³

I forgot to inform you that it has been also moved in a committee of the whole, that a bounty should be given to the soldiers at the end of the war, of fifty dollars each and a suit of clothes, over and above the bounty of land formerly voted.⁴

Congress is anxious to know if the forts on Hudson River are carrying on with vigor, as they have the security of that River very much at heart; such has been the large demands for money, that the Treasury was nearly exhausted, but hope it is now in such a train, as to be soon and amply replenished.

My worthy Colleague, Colo. Duer, returned to Congress last week, so that now our State is represented.⁵ Mr. G. Morris is still at camp. We expect he will join us in a fortnight.

194. WILLIAM DUER TO ROBERT MORRIS.¹

My Dear Sir

. . . . It is said that my Friend Gouverneur Morris is at your *Chateau*. for the sake of our Country, my dear Morris, entreat him to push on and come with him yourself. From a want of Representation in the State of New York, and several other Embarrassments we cannot bring as many members absolutely essential to our Safety, without you, especially the Establishment for the Army.² I am desired by all your Friends in Con-

² See no. 62, note 2, *ante*. With regard to the new arrangement of the army, see no. 191, *ante*.

³ See the *Journals*, Mar. 26, 27, 31, Apr. 1, 2. The subject was resumed in the committee of the whole Apr. 16 and debated almost daily until May 15, when the question was determined in two resolutions. Cf. no. 174, note 2, *ante*.

⁴ This motion is not found in the *Journals*. See, however, the amendment offered Apr. 16, and the second of the two resolutions adopted May 15.

⁵ Duer was in Congress Mar. 27. Cf. no. 194, *post*.

[194]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Henkels, *Catalogue*, no. 1183, item 155 (extract).

² See nos. 174, 182, 185, 191, 193, *ante*.

gress to press you on this matter ; and I flatter myself we shall not plead in Vain. If G. Morris should be at Lancaster, pray write to him in the most pressing Terms, to come forward."

My dear Friend do not fail to accompany Mr Morris; ten or twelve days of your Joint attendance will do more good than six months of your Presence one month hence.³

YORK TOWN 12th April.
Honble Robert Morris

195. ENGAGEMENT OF MEMBERS TO MEET PUNCTUALLY, ETC.¹

We the subscribers members of Congress pledge our honor to each other that we will meet punctually at the hour of adjournment, that on any subject in debate (except in committee of the whole house) we will not speak more than Ten² minutes, seldom more than once, never more than twice, and that we will unite in supporting order and preserving decency and politeness in debate

April 12. 1778.

struck out because violated by several of the contracting parties	}	Francis Lightfoot Lee	Va.
		Samuel Chase ³	Md.
		Wm. Duer	N Yk.
		J Banister	
		Wm. Hy. Drayton	
		Jas. Smith	
		William Ellery	
		James Forbes	Md.
		James Lovell	
		Fra. Dana	
		Edward Langworthy	
		Sam'el Huntington	
		John Henry	Md.
		Nathl. Scudder	
	Corn ^s Harnett		
	E Gerry		

[Endorsed, in the writing of Charles Thomson:]

"Engagement of the members to meet punctually at the hour of adjournment, to support order and preserve decency and politeness."⁴

³ See no. 128, *ante*.

[195]¹ Library of Congress, Miscellaneous, Portfolio No. 104 (in the writing of Charles Thomson).

² The word "fifteen" was erased and "Ten" substituted above the line by a hand other than Thomson's, probably that of Francis Lightfoot Lee.

³ The name of Samuel Chase has been crossed out with a grill-work of lines, and the reasons therefor, written in the margin against his name, are in Chase's own hand.

⁴ It is to be observed that this pledge followed immediately the incident in which Thomas Burke figured conspicuously. See no. 196, note 5, *post*.

[A further endorsement, probably in the writing of Francis Lightfoot Lee, reads:]

"Signed in the handwriting of the Members April 12th. 1778."

196. JAMES LOVELL TO JOSEPH TRUMBULL.¹

13th Apr: 1778

Dear Sir

Your favor of the 2d gave me vast satisfaction as it goes near to insure to me the restoration of your Health and Limbs. I think you had best determine to lay aside all thought of coming to this Place.² The Employment you were invited to would be inevitable Destruction after the Shock you have had. You will ever hereafter require Exercise and good Accommodations where your own or your Physician's Will could decide in points of Regimen. Here you can *command* no course of Diet. I am not Galen enough to say whether the Lime water which tears your Countrymen's Bowels out would not serve you. It has driven several Delegates home to their native springs. I have not been affected with it disagreeably in that respect which I hinted as to Mr. Wolcot and Mr. Huntington: and I do not think I ought to charge the Cramp in my Breast to any thing but Quilldriving perpetually.³

Mr. Wadsworth will conduct the Commissary's Department.⁴ and I think your *Constitution* requires that you should *assist* him. I will not enlarge on that point as you discover a Disposition in your letter both well suited to yr present State of Health and your Character as a *true* Patriot.

If the army is not *immediately* filled up to the full compliment called for, what we have yet felt is a trifle to what we may expect. I say the same in Regard to Congress. The Sickness or *Will* of one man⁵ out of those now here destroys its existence. I will tell you hereafter why this ought not to be, if you stand in need of being told.

My respectful and affectionate Compliments to your Father's and y'r own family

J L

197. HENRY LAURENS TO GEORGE WASHINGTON.¹

YORK TOWN 14th April 1778

Sir

Since my last of the 8th by Ross I have had the honor of presenting Your Excellency's dispatch of the 10th to Congress, this together with

[196]¹ Conn. Hist. Soc., Joseph Trumbull Papers.

² Cf. no. 53, *ante*.

³ The disagreeable conditions in York had brought on a proposition Apr. 9 to discuss the question of removal. Cf. nos. 53, 78, *ante*, and nos. 369, 371, *post*. The removal was not, however, voted until June 24 and took place June 27. The meagre attendance had, nearly a month earlier, induced Congress to call for fuller delegations. See the *Journals*, Mar. 12, and no. 155, *ante*.

⁴ See the *Journals*, Apr. 9; cf. *ibid.*, Mar. 30, Apr. 2, 3. See also no. 175, note 2, *ante*.

⁵ The allusion is no doubt to Thomas Burke. See the *Journals*, Apr. 10, 11, 24, 25, 28, and nos. 220, 225, 226, 233, 235, 236, *post*.

[197]¹ Library of Congress, Washington Papers (placed at April 14, 1779).

the several Extracts of Letters which accompanied it, are referred to a Committee and remain subjects for consideration.²

Under Cover with this Your Excellency will receive a Letter of the present date signed by special order to which I beg leave to refer.³

198. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN, 14th April, 1778

My Dear

. . . . I shall Write to Mr. Adams that either he or some other Gentleman appointed to attend would relieve me as early in June as can be done. my half year's Service counting to next Novr. will fully expire by that Time, and I shall not have a single Wish to prolong the Period. And if my Health shall continue in any tolerable Degree till that Time it is the utmost that I can hope for. The Service in attending Congress is more arduous than I had before known it. We sit sometimes till between 10 and 11 oClock at night, but in those Cases We have an adjournment at noon. . . . At present I am not so well as to attend Congress. Yesterday I did not attend nor shall do so to Day.²

the affairs in the northern Department are intirely unsettled. It is I think most probable that the Peekskill and Albany or northern Department will be united. If so Mr. Trumbull will hold them both unless Mr. Palfrey P M Genl. should Resign, if so which I think is rath[e]r improbable, Mr. Trumbull who has been for a long Time uneasy at not being at the Head may succeed him. . . . Mr Trumbull³ who has Wrote some pretty offensive Letters to Congress because he has not been treated with more particular Marks of Respect one would imagine did not much care about holding the office. But as it yeilds him a Salary of 125 Dollars per month without his personally attending to it scarcely any at all, I presume he will condescend to hold it, tho' I am very sure that such sincere pay must be too much by farr below the Merits of any one of that Family. Their claims on the Head of Merit I beleive have rendered them a little ridiculous. But this to you only. I am as still as a Mouse and I hope you will not doubt my Prudence. While I am here I shall mark the Events and if any Thing happens I shall give my opinion upon it farther. . . .

As to the Regulating Act, the Achan⁴ not only of all good Policy but of common Sense, Congress will I suppose in a few Days Recommend that it be suspended⁵ at least I hope they will. No Regard is paid to any Act of this Kind in this State No such Act to the Southward of it Exists

² See no. 201, *post*.

³ Something of the history of this letter is given under no. 188, note 5, *ante*.

[198]¹ Conn. Hist. Soc., Oliver Wolcott Papers, vol. II., no. 51.

² Cf. nos. 132, 196, *ante*.

³ Jonathan Trumbull, jr. See no. 148, *ante*.

⁴ "The troubler of Israel". See the Book of Joshua, ch. VII., and I Chronicles, 2: 7.

⁵ See no. 147, *ante*. The recommendation to the states to suspend the regulation of prices was not, however, made until June 4. See the *Journals*, Apr. 8, May 7, June 4, and nos. 205, 218, 234, 243, 321, *post*.

nor never will. If Connecticut maintains a Regulation of this kind, they will be the only State in the Union that will do so. . . .

199. THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM BINGHAM.¹

YORK, April 16, 1778.

Sir:

. . . . It is probable that a commercial board—not members of Congress—will be very soon established; so that the whole time of the conductors may be spent in exertions for the public benefit in that branch of continental business.²

The want of intelligence from our commissioners at Paris makes it improper for us to draw largely on them at present; therefore you must content yourself with the economical bounds of the power which is given to you by the within resolve of Congress of this day. Be assured, that all possible attempts will be made for your relief by remittances of our produce. . . .

Our correspondent at The Hague is very regular, but his intelligence is never in season to form the ground of any of our proceedings.³

200. JONATHAN BAYARD SMITH TO THE PRESIDENT OF PENNSYLVANIA
(THOMAS WHARTON, JR.)¹

YORK TOWN, April 16 1778.

Sir

. . . . Your Excellency will excuse my hinting the necessity of forwarding the accounts of the prisoners taken from the enemy. By a resolution of Congress of February last those accounts were to be recorded before 15 April, or the State omitting were to suffer any losses consequent on the event.²

I believe orders will issue to suspend any further purchases of flour. Large quantities are procured we are told in Maryland. If so a return of the proceedings of our Commissioners and their accounts will be called for.³

201. JOHN BANISTER TO GEORGE WASHINGTON.¹

YORK 16th April, 1778

Sir,

. . . . It was with the most painful Sensibility that I perused your last letter on the Subject of the present State of the Army,² and am equally

[199]¹ Wharton, *Rev. Dipl. Corr.*, II. 553.

² One item in the general plan to put the executive business of Congress into hands other than members of Congress which was not carried out. See no. 109, *ante*, and nos. 274, 471, 505, 602, 603, *post*. Cf. vol. II., nos. 273, 298. The letters of Bingham acknowledged in the paragraph omitted at the beginning of the letter are in the Library of Congress, Ac. 2233.

³ This letter is signed, "James Lovell, For the Committee of Foreign Affairs".

[200]¹ Haverford College, Roberts Coll., 732; *Pa. Arch.*, first ser., VI. 420.

² See the *Journals*, Feb. 26; cf. *ibid.*, Mar. 16.

³ See the *Journals*, Apr. 17.

[201]¹ Library of Congress, Letters to Washington, XXIII. 35; *Letters to Washington* (ed. Sparks), II. 107.

² Banister's reference is no doubt to Washington's letter to Congress Apr. 10, read in Congress Apr. 13. The letter is in Washington's *Writings* (ed. Ford), VI. 461, (ed. Sparks), V. 311.

concerned in reflecting that I do not see effectual Measures taken to ward off the impending Blow.

As to the Establishment, I am under no doubt of its being adopted, and put upon a ground of Stability.³ It's not having taken effect as yet has been owing to a thin Representation. Virginia the Leader in this great Business, for want of the constituent Number to form a Representation, remains a Cypher, without Suffrage, at this Momentous Period. Did I not fear to intrude upon your Hours of essential business I should sometimes write to you for my own information on military Subjects; here being the greatest Ignorance in every Occurrence of that kind mixt with an inactivity that permits affairs of the greatest magnitude to lie dormant and give place to local Trifles. I have said with freedom in few words what has often occurred since I have been here. I wish I had the Capability to apply an instant Remedy for nothing procrastinated will do. However the military establishment will come out soon. God knows what other Regulations may take place. Virginia's drafted Men will come on soon, and I believe may amount to 1700 instead of 2000 voted, as it is highly probable more men desert of those compelled into Service, than if they had entered voluntarily. Colo: Harrison's artillery Regimt. are on their march. Would volunteers, provided they can be had, be of Service to your operations? Certain it is they will not come out in such Numbers as some have conjectured, but I believe a considerable Body, perhaps two Battalions may be induced to venture their persons in this time of danger.⁴

202. HENRY LAURENS TO JAMES DUANE.¹

YORK TOWN 17th April 1778.

Dear Sir,

We are now in the Wane of April, you know what is undone done and doing for securing the important Passes of Hudson's, on the possession of which our connexion with the Eastern States so intimately depends. Congress have ordered Gen. Gates to repair immediately to Fish Kill and there to Command the Troops at that Post and the whole Northern department, and have empowered him to call out Militia from N H. M B. C. and N Y. as well as from Rhode Island if the Enemy should evacuate that State.²

Here, we are still encamped at Valley forge, reinforcements arrive very gradually. General Lee's opinion is the Enemy may March when they please to Lancaster. I am strongly inclined to add "and be cut off". That gentleman is at present on Parol; Congress had restricted the Commander in Chief to an article, as a Preliminary upon which the progress toward

³ See the *Journals*, May 18-20, 26, 27, 29, June 4. Concerning the question of half-pay, see no. 174, note 2, *ante*.

⁴ Washington's reply to this letter, Apr. 21, is in *Writings* (ed. Ford), VI. 477, (ed. Sparks), V. 321. It appears to have been a suggestion in this letter to Banister that led Congress to adopt the resolve of Apr. 23 relative to pardoning Tories. Cf. nos. 205, 224, *post*.

[202]¹ N. Y. Hist. Soc., Duane Papers, IV. 413; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 44; N. Y. Pub. Lib., Bancroft Coll., American Papers, III. 179 (copy).

² See the *Journals*, Apr. 15; also nos. 168, 185, *ante*, and no. 204, *post*.

establishment of a general Cartel should depend, that Majr. Gen Lee should be exchanged for Majr. Gen Prescott, but at the General's special request this article is varied and now appears an Instruction. Gen. Lee is exceedingly anxious to be exchanged, intimates that Gen. Howe had assured him he should be, and was equally apprehensive of ill effects following a dogmatic preliminary. Gen. Howe, he was persuaded, would instantly withdraw his Commissioners. I am ignorant of the present state of the business of Exchange, the Commissioners had met at Newton, but there has happened some untoward explanations between the Commander in Chief and York Town and I have had no return to a late Letter signed by Order.³

Gen. Lee assures me the British Officers of his acquaintance generally wish for accommodation and that not a few of them approve of our opposition. my pleasure was heightened by another assurance that our suspension of the Convention of Saratoga is censured by none and applauded by many, excepting the Prolixity of our reasonings upon that occasion. He exploded the Idea of a Change in the Command at Philadelphia.

We are now busily engaged on the Report for an half pay establishment. long and warm debates for many a day had led us to the threshold of the Report from the Committee of the Whole. we had Entered fairly the Door, by reading the whole for information, the first Clause for debate, and had received an amendment which was read by the Chair and the question half put, when we were turned out by a New Motion—debates arose upon the point of order, referring to that Motion, an agreement entered upon the journal, which I shall enclose for your information, was also called for and insisted upon in aid of the general reasonings for order, against receiving the new motion. after long and fervorous arguments the Question was put, You Gentlemen who admit this Motion to be in order will signify it by saying Aye etc.⁴—how say you Sir? I entreat your answer. that you may fully understand this circumstance I should not omit, that the proceedings of the House in debating the Confederation and other Questions were cited as precedents, and replied to, by referring to the special agreement in the present Case and likewise by alledging that the variations which were quoted had been made by "general Consent". I speak again to a Member of Congress—I have stated the Case with brevity and candor. . . .

20th April. . . .

Gen Howe has as far as his own and the Power of his Emissaries have extended sent abroad a spurious draught of a Bill insinuated to be Parlia-

³ The letter to Washington recorded in the *Journals* under Apr. 10, but approved Apr. 14, and so dated. Washington's reply, Apr. 18, was read in Congress Apr. 20. See no. 188, note 5, *ante*; also note 6, below.

⁴ See the *Journals*, Mar. 26, 28, 31, Apr. 1, 2, 16, 17, 21, 25-27, May 8, 9, 12, 13, 15. Cf. no. 174, note 2, *ante*. The "new motion" referred to was made Apr. 17 (see the *Journals*, p. 362). The enclosure to which Laurens refers is found in the N. Y. Hist. Soc., Duane Papers, IV. 417. It is a copy (substantially correct) of the agreement recorded in the *Journals* Apr. 1 (morning session, last two paragraphs, p. 300), to which Laurens appends the following comment: "If the New Motion was out of order a reference to the above agreement will make the violence of out voting appear to have been more violent. ~~See~~ This to a Member of Congress." Cf. nos. 203, 206, 211, 222, 231, 242, 247, 255, 258, 267, 282, 287, *post*; also the *Journals*, p. 393, note 3.

mentary, importing an intended proposition for reconciling differences and quieting disturbances in the Colonies. Governor Clinton shall be furnished with a Copy, which you will of course see—probably you will have seen one sooner. your Morris and our Drayton have it in hand I make no doubt but that we shall return it decently tarred and feathered.⁵

The Commissioners at New Town for establishing a Cartel for Exchange of Prisoners have done as did Balaam and Balak 24 Numb. 25 V. Those on our part have gained great Credit, their conduct and proceedings were spirited, perspicuous, honorable to themselves and their Constituents and must do our Cause service in the Eye of the Enemy. General Howe's dictates to his Agents and their servility are all shabby, and will expose them *all* to ridicule and contempt—by the bye  remember to whom I speak, a certain Club of which you are a Member have very fortunately got out of a scrape. you shall see the whole, except the latter stroke, in Print very speedily. I whispered to a friend, *this* may be passed to the credit of Providence.⁶

⁵ See Washington's letter of Apr. 18, and the *Journals*, Apr. 20-23; also Washington's letters of Apr. 20, 23, 25, 27 (read in Congress Apr. 23, 25, 26, and 29, respectively), and a private letter to Laurens, Apr. 30. The letters are in *Writings* (ed. Ford), VI. 472, 474, 492, 497, 500, 508, (ed. Sparks), V. 316, 319, 336, 340, 344. Cf. nos. 207, 209, 213-216, 219-221, 223, 225, 227, 230, 271, 273, *post*.

In his letter to Governor Clinton Apr. 20 (*Clinton Papers*, III. 197) Laurens expresses more emphatically his belief in the spurious character of the bills: "I differ with Gentlemen who suppose the performance originated under authority in England; it appears to me to be destitute of the most essential marks. . . . I believe it to be of Philadelphia manufacture probably under hints from the other side of the Water and sent abroad like a Sibyl's Letter" See also Laurens's letter to Clinton Apr. 26 (*ibid.*, p. 218).

Lord North's speech on his conciliatory motion (Feb. 19), the draft of the bill declaring the intentions of Parliament regarding taxation of the colonies (Feb. 19), the draft of the bill to appoint peace commissioners (Feb. 19), and the conciliatory propositions (Feb. 20), together with the resolutions of Congress Apr. 22, were printed in the *Pennsylvania Gazette*, Apr. 24. A copy is in the Washington Papers.

⁶ See note 3, above, and nos. 207, 208, 233, *post*. The "club" was, of course, Congress. See no. 206, *post*. This paragraph was doubtless written Apr. 21, as the resolutions respecting the cartel and the order that they be published were adopted on that day.

Elias Boudinot, at this time commissary-general of prisoners and one of the commissioners appointed by Washington to negotiate the cartel, has left in his *Reminiscences* an interesting account of these negotiations, incidentally casting light upon the proceedings of Congress, of which he presently became a member. The following passage from these *Reminiscences* is particularly pertinent at this point:

"In the winter of 1778 while laying at the Valley Forge both Armies called loudly for the Exchange of Prisoners. Propositions were accordingly made by the british to which Congress agreed, by giving full powers to appoint Commissioners to meet a like number on the part of the british for the purpose. The General accordingly appointed Coll Hamilton, Coll Harrison, Coll Grayson, and myself—Genl Howe appointed Coll. O'Harah, Coll Stevens and Capt. Fitz Patrick and we were to meet at German Town. Previous to the Meeting, as it was a matter quite new to us, we proposed a Meeting of General Officers with Genl Washington, that we might discuss the business before them and know their opinions. About this Time Congress sent a Committee of their Body into the Army to reform it. Genl Washington called this Committee to the Meeting. Genl Washington sat as Chairman. We discussed the Matter over. The Committee of Congress soon discovered their Sentiments, agt an Exchange, and urged it as the Opinion of Congress—That the settling this Cartel should be merely ostensible for the purpose of satisfying the Army and throwing the blame on the british, but true policy required us to avoid an Exchange of Prisoners just at the opening of the Campaign. We absolutely refused to undertake the Business on these principles—if we went, we were determined to make the best Cartel we could for the liberation of our

Adieu Good Sir, I wis[h] you all happiness and re[main] with great Respect

Your obedient and mo[st] humble Servant

HENRY LAURENS

The Honorable James Duane Esquire.

203. JAMES LOVELL TO SAMUEL ADAMS.¹

Apr: 18th, 1778.

My Dear Sir

Your favors of Feb: 29 and Mar. 31st came to hand this afternoon.² Col. Campbel³ is actually gone into Philadelphia, and I suppose my old

Prisoners—That we would not be made Instruments in so dishonorable a measure. Genl Washington also resented it, and said his Troops looked up to him as their protector, and that he would not suffer an opportunity to be lost of liberating every Soldier who was then in Captivity let the Consequence be what it might. The Committee were much disgusted and soon left the Army, (where they gave much dissatisfaction) and returned to Congress. Before the meeting of the Commissioners, General Washington recd a resolution of Congress couched in the most insulting Terms, setting forth that he had appointed Commissioners to settle the Cartel, whom he knew held principles adversary to the true interests of America, etc., etc. On this I applied to the General and desired to be excused from the Service. He refused, ordered us to the Duty, and told us to make the best treaty in our power, and He would ratify it, and take the Risque upon himself. In the month of June after this I went as a delagate to Congress, and the first thing I did was to search the secret Minutes for this Resolution of Congress, determined to have them expunged from the Minutes. Not being able to find it, I applied to President Lawrence, to know where I might find it. He laughed and said that Congress was so ashamed of the Measure that was run upon them by the Committee from the Army, that in two or three days after, they had expunged the whole from their minutes." (From the original Journal, in the John Carter Brown Library. The text is also found in *Elias Boudinot: Journal or Historical Recollections of American Events during the Revolutionary War*, ed. Frederick Bourquin, p. 43; and in Boudinot, *Life of Elias Boudinot*, I. 75.)

If there actually was a resolution of the character described by Boudinot, it has indeed disappeared completely from the *Journals*. The language used by Boudinot does, however, closely parallel that of a passage in the letter of Apr. 14 to Washington (see no. 188, *ante*): "The Duplicity of General Howe, and authentic Information that the Gentlemen appointed by you to negotiate the Cartel, held Opinions repugnant to the Sense of Congress, constrained them in a Matter of such high Moment as forming a General Cartel, to express their Sentiments in an Explicit Manner." The explicit expression here referred to is the resolution of Mar. 30. It may therefore have been this resolution and its results, ending with the quieting resolution of Apr. 21, that gave form and substance to Boudinot's recollections. For some earlier phases of the subject, see nos. 88, 139, *ante*.

Boudinot's resignation as commissary-general of prisoners bears the date Apr. 17 (see the *Journals*, Apr. 20). Col. Francis Johnston was chosen (May 11) to succeed him, but declined (see the *Journals*, May 20, 21, 23), and Maj. John Beatty was then elected (May 28). Boudinot did not however quit the office until the end of June (see his correspondence in *Life*, I. 113-138). He took his seat in Congress July 6 (*ibid.*, p. 152).

[203]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² Letters of these dates are not found in Adams's *Writings*, but there are references in Lovell's letter which are evidently to Adams's letter of Mar. 27, found in *Writings*, IV. 16. The letter actually sent to Lovell was doubtless written from this draft but given the later date.

³ Lieut.-Col. Archibald Campbell. See Adams's letter of Mar. 27, mentioned above, and his letter to Campbell, Jan. 9, *ibid.*, p. 9; also the *Journals*, Jan. 13, 16, Mar. 2, 30, Apr. 10. The question of the exchange of Colonel Campbell was a part of the subject-matter of Washington's letters of Mar. 12 and Apr. 4 (see nos. 71, 163, 188, *ante*). For earlier aspects of the case, see these *Letters*, vol. II. (index).

fellow sufferer⁴ is before this time among his friends. There has been a variety of mismanagem't in the affair that may tend to your amusement at some future leisure moment. Howe most evidently had rather have to do with any body rather than Congress; there being this difference, that he cannot induce us to believe him any thing better than a deceitful rogue, while some others confide altogether in his *honor* and often put themselves into situations to have their "feelings hurt" by our decisive Resolves, which are therefore wished to "sleep".⁵ I may venture to tell you, at so great a distance as Boston is from *this* place, that Genl. Heath has acquitted himself greatly to his own honor as an executive officer upon the Resolves of Congress. Surely there is no odious comparison in what I assert. . . .

We are now come to the Season when certain birds of passage return who seldom appear in our flock during winter. I will not enlarge upon the *advantages* of the regulation of this year for our vote in Congress.⁶ Esqr. C——⁷ the patron of yeas and nays will give you after opportunity of examining that matter 4 and 4 and 1 divided lost a question against the voice of D and myself, Brother G being very ill—⁸ a question of the highest importance, so that you may expect soon an half pay system upon which the existence of yr army this campaign is said, "religiously" at one time, and "devoutly" at another, to depend. It is said to be Oeconomy, Justice and Necessity. The latter really is not altogether fictitious, the second does not exist, and the first is quite problematical. Distinction ought however to be made between an *half-pay* establishment and a *military* establishment, the latter being a curse, the former a nuisance. Can less than 9 states *appropriate more* in the manner hinted above? Can it be called a continge[nt] expence of this war? I am clearly of opinion, not.⁹ I wish all the *old Geese* were here, as Mr. Childs called our worthy selectmen on a certain time. Genl. Gates is to go immediately to the north river having the command of the posts there and the superintendence of the whole northern department. I tell *you* he is to assist at a council of War, in his way, to determine upon the plan of operations for the campaign.¹⁰

The public letter and instructions came to hand with your favors, and will be duely respected.¹¹

⁴ Ethan Allen, for whom Lieut.-Col. Campbell was on the point of being exchanged. The exchange was effected May 6, and a few days afterward Allen visited Washington's headquarters (Washington to Congress, May 12, *Writings*, ed. Sparks, V. 361). Allen and Lovell had been fellow-prisoners at Halifax, Nova Scotia.

⁵ The allusion is to Washington's protest against the resolves of Feb. 26 and those of Mar. 30 respecting the cartel, and particularly to a statement in Washington's letter of Apr. 4, in which he says, referring to the late resolves of Congress, "It gives me pain to observe they appear to contain several implications by which my sensibility is not a little wounded". See nos. 163, 188, *ante*. Cf. no. 205, *post*.

⁶ The rule of the state requiring three members to cast the state's vote. The resolution (Dec. 12, 1777) is in the *Journals*, Jan. 7, 1778. Cf. nos. 28, 174, *ante*.

⁷ The reference is doubtless to Samuel Chase. Cf. vol. II., nos. 387, 400, 585, 766.

⁸ This probably refers to the vote of Apr. 17, although as recorded in the *Journals* the vote was 5 ayes, 4 noes, 1 divided, and Massachusetts without voice for lack of full representation. "D" and "G" are Dana and Gerry.

⁹ Concerning the half-pay measure, see no. 202, note 4, *ante*.

¹⁰ See the *Journals*, Apr. 15, 18, 20, and no. 204, *post*.

¹¹ The public letter was the instructions of the general assembly to their delegates in Congress respecting the Confederation, which Adams had transmitted (see his letter of Mar. 27, mentioned in note 2, above). This was presumably the letter of Mar. 10 found in the *Journals* under June 27.

204. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

YORK TOWN 18th April 1778

Dear Sir

I expected before this to have written to you "Provision is made for the American Officers" but that Thief of Time Procrastination hath Kept it off from Time to Time. The Question is now an Order of the Day and as such takes Place of every other Business When it will be determined I know not but this I know that it shall be finished one Way or the other before any Thing else Let what will happen. I am confident it will go right if something very extraordinary does not happen In the Interim Nothing is done. I feel as severely on this Occasion as you can do but it is impossible to make Men of Business out of ——— All will yet go well. We have determined to send Gates to Hudson's River where he is to command very largely. But he is to receive Instructions which shall be proper. You are directed to call a Council of *Major* Generals in which the Chief Engineer is *officially* to be a Member and to which by a subsequent Resolution Genls. Gates and Mifflin were *ordered* to repair. As these Gentlemen ought not to receive Orders *immediately* from Congress they are as you will see permitted to leave the Board of War upon *your* Order This *Amendment* was for that Reason acquiesced in *nem con.*² Colo. Harrison³ will I believe be again appointed a Member of the Board of War. This I mention by the bye I add my Wish that your Business and his Inclinations may be so ordered as to accept of it. For this I have many Reasons. Every Man of Business knows that Words are of great Weight and we receive Reports from the Board of War every Day. I need say no more except that it is not always possible to weigh Sentences with that Accuracy in a public Assembly which is practicable in the Closet. It is astonishing that Congress who certainly are not without sufficient *Apprehension* should at so critical a Moment as the present be so supine but this is human Nature and we must bear it. I have a Remedy in Contemplation but that as to present Exigencies will be after *Meat* Mustard. If you were an unconcerned Spectator it would divert you to see that altho a Majority of our House have been agreed in a certain Point ever since Mr. Dana arrived here yet Nothing is done.⁴ A propos of your Council of War. Should you determine on any Thing which considering the Course of human Affairs is I confess rather improbable Let Congress know Nothing about it. A Secret should never be trusted to many Bosoms. I will forfeit any Thing except Reputation That it will not be *well* kept even by those necessarily confided in. I know your many Avocations and

[204]¹ Library of Congress, Letters to Washington, XXIII. 38; Sparks, *Life of Gouverneur Morris*, I. 164.

² See the *Journals*, Apr. 15, 18, 20. The letter to Gates was prepared by Gouverneur Morris. Cf. nos. 168, 185, 202, 203, *ante*. See also no. 206, *post*.

³ R. H. Harrison. See the *Journals*, Nov. 7, 21, 27, 1777, Oct. 29, 31, Nov. 19, 1778.

⁴ The allusion is presumably to the half-pay measure. See nos. 202, *ante*, 206, *post*.

Therefore I insist that you do *not answer* any Letter from me. Should you have Reason to *write* a Letter it is another Affair.⁵

Remember me to Mrs. Washington,

I am respectfully Sir

your humble Servant

Sunday Evening.⁶

GOUVR. MORRIS

205. JAMES LOVELL TO SAMUEL ADAMS.¹

Apr. 19th: Sunday M'g [1778.]

. . . . I am sorry to find the regulating law passed, you will be *desired to suspend the execution* till Congress know what the southern states will do. We owe this to the eastern states who have sacrificed their Judgements to our Recommendations when others have not. I think such laws may not be without some good effect, so suspended.²

We have got Col: Wadsworth at the Head of the commisariate *unfettered* strictly so.³ Had the same steps as now been taken with Trumbull a year ago amazing Sums would have been saved and Howe have been reduced to the greatest Extremity last fall if we may depend upon the causes assigned for past inactivity. Let us look forward with hope.

. . . .⁴ I hope we shall go on very briskly with the Journals as Mr. Dunlap has put up a press here. He is a very active man. I think the States have been very patient [so] far; There will be a dreadful mixt medly of Resolves and Treasury minutiae. I find the supervisal of the press a poor interlude to the business in Congress. It is too much like leaving *work* to saw wood, but by no means so salutary.

I cannot refrain from telling you a little Camp Doctrine in the face of our Resolves vizt. that *citizens* of Philada. and any others w[ho] *take up arms* with the Enemy in their progre[ss] thro the Continent, *are Changeable* as prisoner[s] of war. I hope no State will give up its treas[on] acts even to Congress much less to one of its officers.⁵

206. HENRY LAURENS TO WILLIAM LIVINGSTON.¹

Dear Sir,

19th April 1778.

. . . . I'll tell the Governor a Cock and a Bull story about an important subsisting debate in our Club,² amuse him with my friend Chief Justice

⁵ Washington's reply, Apr. 25, is in *Writings* (ed. Ford), VI. 495, (ed. Sparks), V. 338.

⁶ Sunday was the 19th. The letter should therefore probably have borne that date. [205]¹ N. Y. Pub. Lib., Samuel Adams Papers.

² See no. 147, note 3, *ante*.

³ See the *Journals*, Apr. 9; also 175, note 2, *ante*.

⁴ Lovell gives at this point a conspectus of attendance in Congress, which corresponds to the numbers indicated in the yeas and nays at the time. He adds: "Col. R. H. L. is on his way but stopped by a dying brother. Col. F[Francis Lightfoot Lee] is going hom[e] Ld. Lt. of a County."

⁵ The allusion is to the resolve of Dec. 30, 1777, its reinforcement Mar. 30, and to Washington's attitude manifested in his letter of Apr. 4. See nos. 188, 191, 203, *ante*; also the *Journals*, Apr. 23.

[206]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 47; Sedgwick, *William Livingston*, p. 270.

² Laurens and occasionally other members of Congress spoke to one another of Congress as "our club". Cf. no. 202, *ante*.

Drayton's Speech upon Articles of confederation which as a special favor I have obtained for the purpose, add Copies of a very honorable correspondence lately held with the fallen Hero of River Bouquet,³ endeavor to draw His Excellency into a decision of Questions upon parliamentary Order and then conclude by repeating what is as true as any thing ever said by any Chief Justice Hero or Parliament.

Sir, We have within a Month past, improved many whole days and Some tedious Nights by hammering upon a plan for an half pay establishment for officers who shall continue in the Army to the end of the present War—a most momentous engagement—in which all our labour has not yet matured one single Clause nor even determined the great leading questions to be, or not to be. the Combatants have agreed to meet to morrow *vis a vis* and by the point of Reason and by somethings proxies for Reason put an end to the Contest.⁴ I'll be hanged they do.

had I heard of the Loss of half my Estate, the amount would not have involved my mind in such fixed concern as I feel from the introducing of this untoward project. a Refusal to gratify the demand of the Officers will, as we are menaced, be followed by resignations from all those who are valuable, an acquiescence without an adequate provision or *doceur* for officers of the Militia as well as for all the Soldiery will be attended by a Loss of Men and prove a Bar to future energy in those Classes—We shall have no Army.

If we provide pensions for one part of the people from the labour of the other part who have been equally engaged in the struggle against the common Enemy and who to say the least have suffered equal losses, the enormous debt which will thereby be entailed on posterity will be the least evil, constitution will be tainted, and the Basis of Independency will tremble.

Advocates for the Measure say, ["the present pay of Officers is not sufficient to support them in Character, their Estates are exposed to waste and loss from their personal absence, they might by various ways and means from which they are now cut off, improve their fortunes as their friends and acquaintance are daily doing. you must not confide in that virtue which you talk of as the Cement of the original compact, there is none or very little of such principle remaining upon your decision

³ That is, General Burgoyne. The reference to him as the "fallen Hero of River Bouquet" is evidently an allusion to the proclamation issued from his "Camp at the River Bouquett" (Boquet, near Crown Point), June 23, 1777, the bombastic style of which has given it a degree of fame. The proclamation is found in W. L. Stone, *Burgoyne Ballads*, p. 285. Doubtless also Laurens had in mind Livingston's parody of the proclamation, which may be found in the same volume (p. 7), and also in Moore, *Songs and Ballads of the American Revolution* (1856), p. 167. Moore states that it is attributed to Francis Hopkinson; but Stone remarks, "Governor Livingston of New Jersey (and not Francis Hopkinson, as some have supposed), by turning it into Hudibrastic verse, made the proclamation an object both of general derision and of diversion". He further states that it was first published in the *New York Journal*, Sept. 8, 1777. See also E. B. De Fonblanque, *Life of Burgoyne*, p. 256. In Moore, *Songs and Ballads* (p. 175), may also be found a satirical proposal for Burgoyne's exchange, which is attributed to Livingston.

⁴ On Friday, Apr. 17, further consideration of the subject was postponed "till tomorrow"; it was not however resumed until Tuesday, Apr. 21.

of this great question depends the existance of your Army, and of your Cause. if you say No, All, All, your good Officers will leave you ". this is the substance and amount of pro. Con starts—— " the demand is unjust unconstitutional, unseasonable, a compliance under menace, dangerous, the reasoning from loss of virtue and insufficiency of the present pay not convincing.

Unjust because inconsistant with the original Compact. Officers were not compelled but eagerly solicited Commissions, knowing the terms of service loss of Estate neglect of family, sacrifice of domestic happiness, exorbitancy of prices of every species of goods for the necessities or comforts of Life, applicable to every Citizen in the Union and to thousands who are not Officers with greater force and propriety.⁵

unjust because without Superior merit, Officers demand a separte maintenance from the honest earnings of their fellow Citizens, many of whom will have been impoverished by the effects of the War and rendered scarcely able to pay their quota of the unavoidable burthen of equal Taxes. unjust in the extreme, to compel thousands of poor industrious Inhabitants by contributions to pamper the Luxury of their fellow Citizens many of whom will step out of the Army in the repossession of large acquired or inherited Estate, of some who have accumulated immense fortunes by purloin and speculation under the Mask of patriotism.[""]

It is held possible by those naughty Cons to produce more than one case in point.

[""]Compliance with a demand unjust as it is extraordinary with a penalty affixed and delayed till the people are reduced to the awful alternative of losing the Army and their Liberties would be dangerous, because it would be establishing a precedent to the Soldiery, because it would be to Tax the people without their own Consent, because the people would have no security against future arbitrary demands, because the attempt is to deprive the Representatives of free Agency and to reduce that Body to a State of subserviency, because it would lay the foundation of a Standing Army, of an Aristocracy. the demand militates against Articles of Confederation, because it would have a tendency to waste the Army by discouraging the Militia and Yoemanry in general to take the field, abate the fervor of the warmest friends and invigorate the hopes and endeavors of every Class of our Enemies " etc. etc. etc.

the assertions of loss of virtue is not admitted, as a fact because the plan originated in a sphere above Regimental Command from whence it was easy to Roll down the glaring temptation.

Insufficiency of the present pay cannot be admitted because the Remedy proposed is not adequate to relief. half Pay to commence at a distant period will not supply present wants. " Succeed in the first attempt and by the same means we will compel Congress to augment pay."

If Officers withdraw and the loss of the Army and Liberty are to be consecutive events, by what " various ways and means " may Officers improve their fortunes, where will be those lucrative employments which

⁵ See the fragment of notes under Apr. 21, no. 211, *post*, where nearly the same language is used.

it is pretended they now envy. but Officers may retire when they please—so may senators and what then?

A whole quire of paper would be too narrow to range in, upon this topic. it is fortunate for you Sir that Genl. Gates an English Newspaper and two or three members of Congress stepped in and knocked out of my head more than would have filled another sheet. if I can beg that Newspaper which contains some good things it shall accompany the other papers. let me conclude this head by observing, the Cons move to postpone the consideration of the plan until the several States shall be fully informed and consulted⁶ here a strenuous advocate let out the Cat—no I am afraid the people will not consent. What! dare we bind the people in any Case without or against their Consent, 'tis very near akin to binding them in all Cases. I must confess the affair for an affair of such magnitude has been poorly conducted by the managers.

a Report of the whole, called for in a certain Assembly being the order of the day, read once for information, the first paragraph read for debate an amendment offered and received a question on the amendment: half put, a new proposition was started irrelative to the paragraph and amendment, contrary to general consent and having a tendency to set aside both. Question, is it in order to receive and put to Vote the proposition?

A question was moved upon the order; Question, is the latter motion or the first subject for a previous Question.⁷

From what has been said your Excellency will collect enough to determine on the article of confusion that mass of paper lying there which I lug every day to and fro would give a more explicit answer to this point than, as I think, becomes me. . . .

Congress have directed Genl. Washington to convene a Council of Major Generals including the two Gentlemen of the Board of War and the General Officer of the Corps of Engineers in order "to form such a plan for the general operations of the Campaign as the Commander in Chief shall deem consistant with the general welfare of these States." Genl. Gates from the Council will proceed to Fish Kill and take upon him the command of all the Northern department.⁸ . . .

207. SAMUEL CHASE TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

Dear Sir

YORK TOWN, 20 April, 1778.

General Howe has sent out of Philadelphia a Cart loaded with Hand-Bills, expressing to be A *Draught* of a *Bill* to declare the Intentions of Parliament, concerning the Exercise of the *Right* of imposing Taxes, within the Colonies.² . . .

⁶ See the *Journals*, Apr. 16.

⁷ See the *Journals*, Apr. 17 (p. 362); cf. *ibid.*, Apr. 1 (pp. 300-301). See also no. 202, *ante*, and no. 244, *post*.

⁸ See the *Journals*, Apr. 18, 20; cf. no. 204, *ante*.

[207]¹ Md. Hist. Soc., Red Book, V. 62; *Arch. of Md.*, XXI. 43.

² Chase wrote to Governor Johnson at midnight, Apr. 21, giving a sort of summary of Lord North's speech, and then remarked: "Two Things are in my opinion essentially necessary—a respectable Army—a full Congress—every nerve sho'd be exerted to fill our Ranks. . . . I wish Mr. Stone wo'd come up. I wish Paca wo'd quit his Judges Seat, and that our Assembly wo'd appoint him. I did intend Home, but I

two opinions prevail here. Some that this insidious scheme originated in Philadelphia, others the far greater Number believe it came from the Ministry. the manifest Intention is to amuse us with a Prospect of Peace and to relax our Preparations. I hope my Countrymen will have too much good sense to be deceived. I think it would be adviseable immediately to publish this Attempt, but I hope it will be attended with some Remarks to expose its Design, and remove the baneful Effects it may have on the credulous and weak among the People. Mr Paca has Leisure. it ought not to be attempted to be suppressed.

Captain Nicholson informs, that a Number of Recruits are enlisted for the Enemy in Worcester and Som't³ Counties, 90 came to the fleet, when he was on board. it is reported the disaffected in Queen Anns County have rose, and Congress were yesterday acquainted with an Insurrection in Sussex County. the Malignants are assembling in Arms at Jordans Island. You will be applied to by Congress to order 300 of your Militia, with two field Pieces, and 28 Artillerists, to march there.⁴ . . .

The proposed Cartel is broke off, our Commrs. had full Powers, and their Act would have bound the *public* faith. Howes Commrs. had not full Powers, and could only engage his *private* Faith, and that too only during his Command. The Exchange on Parole will continue.⁵

No other Part of my last was to have been private, but Govr. Lee's name. I am inclined to think Baltimore fort remains in the same defenceless State as I mentioned to the assembly a year ago. there is a great Mistake in my Letter about the Quantity of Continental Arms. I meant to say Congress had fifteen thousand Arms, and above two hundred field pieces. I suppose I folded the Letter before it was dry, and that Circumstance added to the Naughts I will seise the first favourable Opportunity to apply to Congress for some Mony,⁶ but our Demands to pay and buy provisions are very pressing.

208. JOHN HENRY, JR., TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORK TOWN Apl 20th 1778

Dear Sir.

I have procured the inclosed paper with some difficulty. When you have read it, if the Assembly should be setting, I wish you would send it to the Speaker. Different opinions prevail here with regard to the Authenticity of it. For my own part I have no doubt, from what I have lately seen in the English papers, but these two Bills before this time, are

believe I shall stay and see it out. The Hour to try the Firmness and prudence of Man is near at Hand. I am really diffident of myself, I shall endeavor to act my Part well. My Soul has been chagrined at certain Conduct, but I love my Country, and shall with pleasure retire after Peace is established" (*Arch. of Md.*, XXI. 50). See

* no. 202, note 5, *ante*.

³ Somerset.

⁴ Cf. no. 176, *ante*, and nos. 208, 210, 217, 220, 230, *post*.

⁵ See no. 202, notes 3 and 6, *ante*.

⁶ See the *Journals*, Apr. 24.

[208]¹ Md. Hist. Soc., Red Book, X. 80; *Arch. of Md.*, XXI. 45.

enacted into Laws. I dread the impressions it will make upon the minds of many of our people. If it should, and I have no doubt of it, make its appearance in the form of a Law, it will prove more dangerous to our cause than ten thousand of their best Troops. It will in a Day or two be under the consideration of Congress.²

The Cartell for the General Exchange of prisoners is at an End. Upon our commissioners examining the powers of the Commissioners on the part of Genl Howe, they discovered he meant the treaty to be of a personal nature, founded on the mutual Confidence and Honor of the contracting Generals, and had no Intention of binding the nation, or of extending the Cartel beyond the limits and Duration of his own Command. They declared themselves ready to treat with us on this footing, with their present powers which they deemed adequate to the purposes of their meeting. Upon this point the treaty broke off. I lament the Situation of our prisoners, and must approve of the Conduct of our Commissioners. A Cartel upon so narrow a foundation as the personal Honor of Genl Howe would be of little use to us and of short duration; liable at any time to be set aside by a subsequent Commander or by the British King without a breach of Honor. This conduct will teach Us a lesson respecting Genl Burgoyne and his Army.³

I make no doubt you have heard of the insurrection in the Delaware State. By a Letter from a Mr Patterson we are informed that a considerable number of the disaffected have assembled at a place near the head of Chester River. They are exerting themselves to add to their number and those who will not join them, they deprive of their Arms and Amunition. It is said here they have British officers among them and expect to be reenforced from Philadelphia. This Matter is viewed here as very serious by some.⁴ . . .

209. THE VIRGINIA DELEGATES TO THE GOVERNOR OF VIRGINIA
(PATRICK HENRY).¹

YORK 21st April, 1778.

Sir

General Howe having industriously circulated the Draught of a Bill, said to be the Ground of an Act of Parliament intended to be passed, with a view no doubt of diverting the People of America from their grand object of Preparation and defense, and General Washington having transmitted a few Copies of it to Congress expressly to put it in their Power to guard

² The two bills were Lord North's conciliatory measures. See no. 202, note 5, *ante*.

³ See the *Journals*, Apr. 20, 21. Cf. nos. 202, 207, *ante*, and no. 233, *post*.

⁴ Congress was informed of the insurrection through a letter of General Smallwood, Apr. 17, read in Congress Apr. 20, the Patterson letter being an enclosure. See the *Journals*, Apr. 23, and nos. 207, *ante*, 210, 217, 220, 230, *post*. Cf. the *Journals*, Mar. 26, Apr. 10, 13, 15. Smallwood's letter was in part concerning the release of White and Gordon (see no. 230, *post*). Some letters pertaining to the release are in the same volume of Papers Cont. Cong. (no. 161, ff. 55, 151, 157, 159) with the Smallwood letter (f. 179). The Patterson letter is not found there.

[209]¹ Va. State Lib., Executive Papers.

against the baneful Effects with which this political Stroke of G. Britain, if not counteracted, may be attended, we think it indispensably necessary to give you *thus early* the Substance of this intelligence and the Draught of the Bill. . . .²

Respecting this proposal and Scheme of the Enemy whether it be genuine from Parliament, or a Production of General Howe's we have only to observe that it may mislead the ignorant and alienate the Minds of the wavering unless it is made public and with its Publications such Strictures are made upon the probable Effects of it as may contribute to place the Subject in its true Light before the People. We are with the highest Respect Your Excellency's most obed. Servant

FRANCIS LIGHTFOOT LEE
JOHN BANISTER
T. ADAMS

210. CHARLES CARROLL OF CARROLLTON TO THE GOVERNOR OF MARYLAND (THOMAS JOHNSON, JR.).¹

Dear Sir,

YORK 21 April 1778.

By a letter from Gen. Smallwood of the 17th instant from Wilmington, we are informed of an insurrection of the Tories, at a place called Jordan's Island, 10 miles from Dover. Smallwood apprehends this insurrection may become very serious unless speedily suppressed: his letter is referred to a committee of wh I am one: We shall report that you be requested to call out 300 of the militia from the adjacent counties of Maryland and put them under a spirited and active officer who will receive his instructions from a committee of Congress. I beg your attention to this business. Smallwood writes that we have considerable stores at Charles Town, which he fears may be taken or destroyed by these insurgents.²

. . . . If our People would but exert themselves this campaign we might secure our liberties forever. Gen. Washington is weak; reinforcements come in slow: try, for God sake and the sake of human Nature, to rouse our countrymen from their lethargy. . . . The Congress do worse than ever: We murder time, and chat it away in idle impertinent talk: However, I hope the urgency of affairs will teach even that Body a little discretion.³

211. HENRY LAURENS, NOTES ON MEASURE FOR HALF-PAY.¹
after the Yeas and Nays, Tuesday 21st April——

Copy Journal.

Motion was made to strike out "an establishment" and insert, "It is expedient a Provision" Resolved in the affirmative.

² The titles and extensive quotations from the bills are here omitted. Cf. no. 208, *ante*.

[210]¹ Md. Hist. Soc., Red Book, V. 48; *Arch. of Md.*, XXI. 49; Scharf, *Hist. of Md.*, II. 343; Rowland, *Life and Corr. of Charles Carroll of Carrollton*, I. 238.

² See the *Journals*, Apr. 20, 23; also nos. 207, 208, *ante*, and nos. 217, 220, 230, *post*.

³ Cf. nos. 533, 534, 561, *post*.

[211]¹ S. C. Hist. Soc., Laurens Papers, Congressional, 1778, 1779, nos. 25-26, and *ibid.*, "Miscellaneous Essays and Projects" (see note 3, below).

then the Resolves on Friday 17th [were?] Read as follows—

[“]That It is expedient a Provision, (instead of ‘that an establishment.’) or half Pay be made for the Military officers commissioned by Congress who now or here after may be in the Service of these States and shall continue there in during the War and who shall not be annexed to any Corps of established Troops or hold any office of Profit under the United States or any of them and that Such (establishment) Provision take place after the conclusion of the present War.”

this Motion, which in itself had undergone a Question upon Order being thus taken under Consideration and in part amended, a Motion was made for dividing the Question which caused some debate but the manner in which the division was desired declared in writing as follows—

“the House was Moved that the Question be divided and that the sense of the House be taken, whether any provision shall be made for Officers etc.”

The President rose and said his Duty Constrained him to speak to the House, “that this motion contained no division of the Question in debate but was a complete new motion which he could not put without express Command.”

Mr. Huntington and other members objected in like manner. debates and some disorder ensued. the President admonished the House against disorder and intemperate reflections.

A majority of probably two to one insisted upon having the Question put as it had been reduced to writing. the President replied he could not apply the words so reduced to writing to any part of the motion and give it the appearance of a division, except by taking up some and suppressing or skipping over other words in the motion. the Member who had reduced the said division or new motion to writing, expressed great surprise and added it is the easiest thing in the World. the President requested his assistance, and delivered the motion to that Member Mr. Chase who read it as it is reduced to writing and averred it to be a division of the Question.

the President resumed the papers and again requested the Order of the House. Some of those Members who had complained of the division and were against admitting the motion to be a division, acclaimed they were borne down and all said, anyhow, anyhow, we see the Gentlemen will have it in their own way. put the Question

the President then read the Motion again and put the Question

“You Gentleman who agree that a provision shall be made for the Military Officers Commissioned by Congress etc. (the words of half pay suppressed and the word Military introduced, by order) when you are called upon will signify it by saying Aye, Contra, when called upon will say No. the Yeas and Nays were called and appear on the Journal. Instantly after calling the Members,

Mr. Chase presented the following motion read by himself and by the President

“The Question moved and put that such provision for the Officers be one half of their present Pay.”²

² See the *Journals*, p. 392 n., where Chase's motion is placed conjecturally under Apr. 25. Cf. *ibid.*, p. 393, notes.

But the House adjourned without debate or putting the Question.

It is asserted by Gentlemen that Officers and some of high Rank in the Army have declared ("I have heard one and of high Rank too") that they were not for Peace.

they desired War for a support, as they had no fortunes to live upon.

Qu. is it necessary to make further provision for Men who declare that what they already enjoy is a desirable subsistence, or for Men who at the expence of the Blood and Treasure of their Country wish to enjoy their present subsistence.

Qu. Is there no danger that Men of this disposition will, when once an half Pay establishment is fixed do everything, and submit to any terms for Compassing Peace even submitting to accept another half Pay for this purpose from the Enemy. thus Gentlemen in their reasonings upon different subjects in which the Officers of this Army are introduced, destroy their own argument used in support of a peace establishment.

It is unjust,³

the Motives and considerations not applicable the demand unseasonable and a compliance dangerous.

the Remedy proposed grievous to the People and inadequate to [relief.] ⁴
Unjust,

because it is inconsistent with the original compact. Officers were not compelled but eagerly solicited Commissions knowing the terms of service.

because every argument, of loss of Estate neglect of family, forfeiture of domestic happiness, the exorbitancy of prices for every specie of goods for the necessary support or Comfort of Life is applicable to thousands of our fellow Citizens with greater force and in some degree to every Inhabitant of the United States engaged in the Compact with this great difference in favor of Officers that they are provided with Rations or daily food with Servants with Horses at the public expence and with Clothing from [remainder missing] ⁵

212. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO WILLIAM AYLETT.¹

22d April 1778.

Sir,

. . . . The Committee have not yet reported on the information given by you respecting the disposal of Salt by Messrs. Hughes and Smith, but as your attention to the public Interest in general and particularly in that Instance is highly applauded and as the reputations of those Gentlemen are also in question, I persuade myself the Committee will not suffer the

³ The fragment of the notes beginning at this point is on a sheet of paper found among the "Miscellaneous Essays and Projects". The observations, in almost the same language, are found in Laurens's letter to William Livingston, Apr. 19, no. 206, *ante*.

⁴ The note is incomplete. In the letter to Livingston (see note 3, above) Laurens says, "the Remedy proposed is not adequate to relief".

⁵ On the subject of half-pay, see a letter of John Laurens to his father Apr. 11, in *Army Correspondence*, p. 155. References to comments on the subject by members of Congress are given under no. 174, note 2, *ante*.

[212]¹ Library of Congress, President's Letter-Book, I. 268.

subject to sleep under their hands, and that a full investigation of facts will soon be made for the satisfaction of all parties.²

213. CHARLES CARROLL OF CARROLLTON TO THE GOVERNOR
OF MARYLAND (THOMAS JOHNSON, JR.).¹

Dear Sir

23d April 1778.

By this opportunity you will receive Draughts of two bills and Ld. North's speech ushering them into the house of Commons: I have little doubt myself but that these Bills have long since been cloathed with all the formalities of law. If Lord North's speech is genuine, (and I think we have no reason to suspect it to be otherwise) we may fairly conclude that the Administration begin to see the impracticability of reducing these States, or of retaining them, when reduced, in such a state of subordination as to be useful to G. B. In a word, if we guard agt. their insidious offers on the one hand, and can resist their warlike efforts on the other, during the ensuing campaign, I have not the least doubt but that they will acknowledge our Independency next winter, or Spring, particularly if no alliance between these States or any other European power be concluded on in the interim.²

. . . . The Congress has passed some observations on the two draughted Bills, to counteract their obvious design, or at least the possible bad effects they might produce in the minds of the People, if published without such strictures. These observations will be printed to day; they will be immediately distributed throughout the United States: I fear they are not so perfect as they ought to be, but the hurry of business, and the want of time must, and will, no doubt, sufficiently apologize with an impartial Public for all their imperfections.³

214. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR
OF VIRGINIA (PATRICK HENRY).¹

Sir

YORK TOWN 24th April 1778

My last was under the 31st March by Lieutt. Thomson since which I have received none of Your Excellency's favors.

² Apr. 13 two letters of Aylett were read, one of Mar. 28, the other of Apr. 3, enclosing one from Governor Henry of Apr. 1. The committee to whom these letters were referred reported on the Henry letter Apr. 14. Probably Laurens is here referring to Aylett's letter of Mar. 28, which is missing from the Continental Congress Papers. Cf. the *Journals*, May 11 (Aylett's letter of May 1, relative to Hewes and Company). The firm of Hewes and Smith consisted of Joseph Hewes, sometime delegate from North Carolina, and Robert Smith. Aylett was deputy commissary-general of purchases, and this letter was addressed to him at Williamsburg.

[213]¹ Md. Hist. Soc., Red Book, IV. 109, VI. 1 (copy); *Arch. of Md.*, XXI. 55.

² In a letter of Apr. 27, Carroll wrote to Governor Johnson: "Gen. Amherst, General Murray, and Admiral Keppel are the Commissioners coming out under the Act of Parlia't for offering terms of peace and reconciliation . . . but no terms, short of Independence, are in my opinion admissible without the utmost danger and disadvantage to these States" (*Arch. of Md.*, XXI. 59). Governor Johnson's letter (Apr. 23) to which Carroll is replying is *ibid.*, p. 54. Cf. no. 230, *post*.

³ See the *Journals*, Apr. 22, and no. 202, note 5, *ante*, and nos. 213-216, 253, *post*.

[214]¹ Copied from the original, then in the possession of Mr. Stan. V. Henkels of Philadelphia; Library of Congress, President's Letter-Book, I. 270.

You will pardon me, Sir, for intimating that from a want of proper acknowledgements, Congress are kept uninformed of the safety of the several Acts transmitted to Virginia. timely notice of the receipt of such letters as Your Excellency may receive from me will be a means of detecting miscarriage if any shall happen and enable me in case of need to supply deficiencies in the Course of my duty.

Your Excellency will receive in company with this an Act of Congress of the 23rd for detecting disaffection and defeating conspiracies and Insurrections in the State of Delaware and part of Maryland.²

Also twelve copies of a speech said to be Lord North's in the British House of Commons, draughts of Bills referred to by His Lordship and an Act of Congress of the 22nd Inst. printing the supposed Speech and Draughts to which they have to refer.³

215. JOHN HENRY, JR., TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORK TOWN Ap'l 24th, 1778

Sir

. . . . You will receive by an Express which left this place to Day Lord North Speech, the two Bills which occasioned it and the Strictures of Congress upon them. They were drawn up in haste, but I trust they will be sufficient to shew the wickedness of the Ministry.²

216. HENRY LAURENS TO JOHN PENN.¹

24th April

Dear Sir,

. . . . Inclosed with this you will receive three Copies of an Act of Congress of the 22d Inst. founded on the appearance of preceeding Acts said to be Lord Norths speech and draughts of Bills referred to. Supposing these to be Sibyl's Letters,² our Act I trust will do no harm. The States will learn the temper of their Delegates and I hope be animated to the utmost exertions for reinforcing the Army. the general opinion is in favor of the genuineness of the Speech etc. . . .

217. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO WILLIAM SMALLWOOD.¹

24th April. [1778.]

Sir

Your favor of the 17th with the papers referred to I had the Honor of receiving and presenting in due course to Congress. a special Committee

² Cf. nos. 210, *ante*, 217, *post*.

³ Cf. no. 213, *ante*, 215, 216, *post*.

[215]¹ Md. Hist. Soc., Red Book, X. 79; *Arch of Md.*, XXI. 58.

² See nos. 213, 214, *ante*, 216, 219, 221, 253, *post*.

[216]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 56.

² That is, the bills were something of an enigma and capable of at least a two-fold interpretation. The doubt as to their real character and purpose is shown by the action taken by Congress Apr. 22. Cf. nos. 202, note 5, 213, 215, *ante*, 220, 221, *post*.

[217]¹ Library of Congress, President's Letter-Book, I. 273.

of Mr. Duer Mr. Chase and Mr. Carrol are appointed by Congress in order to confer with the Governments of Maryland Virginia and if needful Delaware on proper measures for suppressing the threatned Evils intimated in your late dispatches. from these Gentlemen you will receive the necessary information I have only at present to Inclose an Act of Congress of the 23d Inst. reviving late powers vested in Genl. Washington and extending the term to the 10th August next.²

218. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN, 25th April, 1778.

My Dear

. . . . P. S. It is in Contemplation to sink 20,000,000 Dollars in a Loan and pay the annual Interest in Bills on France—This measure may be adopted—and if so I think that it will by calling in and burning so large a Quantity give Credit to the whole, and perhaps particularly raise the first Emissions which are proposed to be sunk in that manner—As the Payment of the Interest in Bills will while the Interest shall continue have the same effect to the Lender as tho the Principal was in Specie. This may therefore induce such People as have the first Emissions not to part with them, or rather induce such as Wish to be Lenders to procure such Bills—As every one well knows that a Certificate whenever it may be necessary to turn it into Money may easily be done.²

219. WILLIAM ELLERY TO THE GOVERNOR OF RHODE ISLAND
(NICHOLAS COOKE).¹

YORK TOWN, April 25th, 1778

Sir

Mr. Collins² arrived here last Saturday with emaciated horses after having passed through a very deep and difficult road. Your Letter to the President of Congress and the state accounts are referred to the treasury board who will soon report thereon to Congress. We should urge this matter on; but it would be impossible for Mr Collins to proceed with his horses without being recruited, and the longer he stays here the more money he will probably receive.

I could wish that the Assembly in their Letters had mentioned what part of the ballance it would have suited them to receive, in Loan-Office

² See the *Journals*, Apr. 20, 23. Laurens falls into a slight error in naming the members of the special committee. They were Carroll, Duer, and Banister. Duer, Chase, and Carroll were the committee to whom Smallwood's letter was referred Apr. 20. See also nos. 207, 208, 210, *ante*, and nos. 220, 230, *post*. This letter was addressed to General Smallwood at Wilmington.

[218]¹ Conn. Hist. Soc., Oliver Wolcott Papers, vol. II., no. 52.

² See the *Journals*, Apr. 8. Cf. nos. 234, 243, *post*.

[219]¹ R. I. Arch., Letters to the Governor, 1778, p. 72; Staples, *R. I. in Cont. Cong.*, p. 169.

² John Collins had been appointed by the assembly to wait upon Congress with the state's accounts against the continent, and empowered to adjust and liquidate them. See *R. I. State Recs.*, VIII. 378, and Governor Cooke to Ellery Apr. 3, in Staples, *R. I. in Cont. Cong.*, p. 167. Cf. no. 251, *post*. Collins was chosen in May a delegate to Congress and took his seat June 20.

certificates. However I shall do what I think will be agreeable to my constituents.

The confederation is not yet taken up; if it should be before I return I will pay a religious regard to your instructions.³

Mr. Collins informs me that the Delegates which will be chosen at the ensuing election will not set out until some time in June. I should be loth to leave congress, the state unrepresented, but my health, and the unhappy situation of my family require that I should be at home as soon as possible, wherefore let me intreat you to send forward two of the delegates at least immediately after the choice.

This will be accompanied by a late Speech of Lord North, the Draught of two bills, and the remarks of Congress on the latter. The design of this ministerial manœuvre is obvious.

We have nothing new.

[P. S.] Since I wrote the foregoing I have seen a printed hand bill of the two Drafts contained in the news papers with a certificate of Govr. Genl. Tryon. A copy of said certificate I now inclose.⁴

220. THOMAS BURKE TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

YORK April 25th. 1778

D'r Sir

Mr. Harnett will inform you of every thing which I can write about at present. I shall therefore refer you to him, and spare you the trouble of reading. The inclosed paper will shew you the present temper of our Enemies, and the disposition of Congress.² I will make on it no other comment than to observe that nothing is necessary to insure our Success but vigorous Efforts. This opinion which I have so often declared, is every day more and more Justified, and I hope will be finally Sanctified by the happy Event of our struggles.

I hope before this the Assembly have made a new choice of Delegates, and have supplied my place with a more able Citizen. I shall set off on the fourth of May, and leave what public papers are in my Hands directed for the Succeeding Delegates. Altho I shall remain here until that day, yet I do not find myself entirely clear on the propriety of Voting in Congress after the 28th Instant. I am told by Mr. Harnett that on that day in

³ The resolves of the assembly and the instructions to the delegates respecting the Confederation are in Staples, *R. I. in Cont. Cong.*, pp. 133-135, and *R. I. State Recs.*, VIII, 364-367. See no. 292, *post*.

⁴ See no. 202, note 5, *ante*. In a letter of this day to William Vernon, member of the navy board of the Eastern department. Ellery says: "Inclosed is the last York paper which contains weighty manoeuvres. It ought to be immediately reprinted in Providence. You will therefore deliver it to the Printer so soon as you shall have read it." *Papers of William Vernon and the Navy Board* (R. I. Hist. Soc., *Publications*, VIII, no. 4), p. 41. [220]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Harvard Univ. Lib., Sparks MSS., XXXVI. 483; *N. C. State Recs.*, XIII. 102.

² Presumably a copy of the *Pennsylvania Gazette*, Apr. 24, containing Lord North's conciliatory propositions, etc., and the resolutions of Congress Apr. 22. See no. 202, note 5, *ante*. Cf. no. 221, *post*.

last year the Election of Delegates was made, and on the preceeding day in this year must in that case the term of my Service end. The Commission under your hand being dated the 20th [4th] of May, and having in some former Letters promised to remain here until then to Execute any Command of the State, I will keep my promise, tho I assure you Sir every hour is, and will be a very heavy one to me until I can return to the Station of a Private Citizen, Secure under the Protection of the Laws and constitution of my Country.³ every day Sir convinces me more, and more, that such a Station is the only happy one, and nothing but my deference to the opinion of my Country, and my wishes to serve the Cause of freedom should ever have drawn me from it or will withhold me now from it. Happy is it for those Countries who are at a distance from the War. they are Secured from the Depredations of the Enemy, and their civil rights from most violent Infractions. The Rights of private Citizens and even of our Sovereign Communities are at present so little regarded in Congress that any humor will determine a Majority to Violate both, and it is hardly safe to oppose it. every argument against the unlimited power of Congress to judge of Necessity, and under that Idea to Interpose with Military force is heard with great Reluctance, hardly with patience and the Internal police, and Sovereignty of States are Treated as chimerical phantoms. One instance I will give you. General Smallwood was ordered by Congress to apprehend two men in the Delaware State, under a Suggestion that they were Inimical, and that the State was unable to exercise any act of Government, the Assembly was then sitting, he did apprehend them, They applied for a habeas Corpus, the chief Justice granted it, the Officer refused to obey and applied to Congress for advice. The Congress approved the Officers conduct and was with difficulty prevented from ordering him in Express Terms to proceed in direct opposition to the habeas corpus, and they forbore this only under an Idea that, approbation of his former conduct would determine him to proceed.⁴ I need not tell you I opposed these things, you know my pertinacious attachment to Civil Rights, and my immoveable determination to oppose every thing that may give Color to an arbitrary exercise of power under an idea of Right. I shall probably give you another Instance before long wherein our State and myself are concerned. I have upon a late occasion Insisted so far on the Sovereignty of the State, and my being amenable to no other Jurisdiction, that I have given very great offence to Congress. an accident involved me in the dispute, and so far as it regarded me personally I should have waived all opposition but I delivered occasionally in Debate my political opinions of the power of Congress and the Sovereign and Exclusive authority of the States over

³ See the *Journals*, Apr. 28, and no. 226, *post*; also note 5, below.

⁴ See the *Journals*, Mar. 23, 26, Apr. 10, 13, 15, 20, 23, May 21, and nos. 176, 207, 208, 210, 217, *ante*, 230, *post*.

Some of the more conspicuous instances of conflict between state and continental authorities are the case of Colonel Carrington (Virginia; see the *Journals*, Aug. 19, 1777, May 23, 1778), the Pennsylvania case (*Journals*, Mar. 20, 1778), the case of General Stark (New Hampshire; *Journals*, Aug. 19, 1777), the Delaware case referred to by Burke (*Journals*, Apr. 15), and the case of Count Pulaski (Pennsylvania; *Journals*, Oct. 2). See also no. 315, *post*.

their Delegates, these opinions were not relished and I was required to make some apology, I very frequently apologized for the Terms and manner in which they were conveyed, tho I could not perceive any thing offensive in them, but I persisted in the opinions and declared I could not give them up without an outrage to my honor in telling a falsehood, and what I deemed a Treason to the State I represented in giving up her Sovereignty. Nothing however would do but retracting the Opinions, and it was in vain to require this of a man who would die in Support of them.⁵ I shall trouble you no more at present on the Subject, but at some future time will give it to you with all its circumstances. My Country will I suppose one day Judge of it, but I shall not desire it during the present struggle. I should be very sorry that any thing would interrupt the public harmony which is so necessary to our Success, a time of peace and Tranquility will better suit the Investigation of Civil Rights and relations.

I wish you Sir all Imaginable Happiness
and am with the greatest Sincerity
Your most obedient Servt.
THOS. BURKE.⁶

221. JOHN MATHEWS TO THOMAS BEE.¹

YORK TOWN April 26th 1778.

Dear Sir,

I Arrived here the 21st Inst. after a most disagreeable Journey indeed.

I inclose you a paper (which if you have not seen) will amuse you, and I imagine some parts, will not a little surprise you.² Compare the speech of the Minister with the last speech from the Throne. Lee is exchanged. Tryon was impudent enough, a few days ago to write to Washington inclosing several of the Acts, desired him to disperse them thro' his camp.³ When the Acts were posted up in Philadelphia the officers tore them down

⁵ See the *Journals*, Apr. 10, 11, 24, 25, 28, and nos. 225, 226, 233, 235, 236, *post*. Cf. nos. 195, note 4, 196, note 5, *ante*. A copy of the "Evidence and Examination of Witnesses relative to Mr. Burke April 24, 1778" (printed in the Library of Congress edition of the *Journals*, vol. X., pp. 386-389) is in the S. C. Hist. Soc., Laurens Papers, Congressional, 1777-1778, no. 1. Appended to this copy is the following statement by Charles Thomson:

"Those parts marked in the margin thus [are entered on the Journal. The rest is a Copy of the Evidence taken and what passed subsequent which were minuted, at the time, but not entered on the Journal]"

[Signed] Chas. Thomson, Secy

⁶ "The letter from Mr. Burke, he desired me to mention to you. was only for your own private information. I hope before he left Congress the whole was erased from the Journal." Cornelius Harnett to Governor Caswell, May 25, 1778, *N. C. State Recs.*, XIII. 136.

[221]¹ Charleston Lib. Soc., Miscellaneous Letters, p. 97. Addressed, "The Honorable Thomas Bee Esqr., in Charles Town, South Carolina".

² See no. 220, note 2, *ante*.

³ Tryon's letter to Washington Apr. 17 is in Washington's *Writings* (ed. Ford), VI. 492 n. It was enclosed in Washington's letter to Congress Apr. 23 (*ibid.*, VI. 492, ed. Sparks, V. 336), read in Congress Apr. 25. Washington replied to Tryon Apr. 26, assuring him that the bills should have an "unrestrained circulation", and requesting, in turn, that Tryon be instrumental in communicating "to the persons who are the objects of its operation" the resolve of Congress of Apr. 23 (*ibid.*, V. 343). See also Washington to Governor Livingston Apr. 26 (*ibid.*, V. 341). Cf. no. 223, *post*.

in a most riotous manner, swearing they were all cheated, for they were promised the Rebels should be conquered, and their Estates divided amongst them. The Physic begins to work you see. all we have farther to do, is, to give them one good dose more this campaign, and the business is done. The speech and the Acts, the exchange of Lee, (which did not happen 'till after these acts came out, he had been out on Parole some time before) the sollicitude to disperse these acts amongst our people, all serve to show, those Dam'd Villains are heartily sick of the business. However Congress takes it up in a different point of View, as all meant to throw dust in our eyes, and are preparing for a Vigorous Campaign. . . .

You will observe the report of the Committee⁴ speaks doubtfully of the validity of the two Acts but that was before we received them from Tryon, which are certified by him, to have actually pass'd. The report fully shows you the Ideas of Congress on this important subject. As this is a matter of as great and momentous concern as any that can come up before Congress, (except that of real treaty,) I would therefore wish my conduct on every such occasion to be known to my Country, and leave to their Judgement whether I am right or wrong. I do therefore declare the whole report met with my most hearty concurrence. . . .

222. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 27 April 1778

Sir,

I had the honour of writing to your Excellency the 24th inst. by McKlosky.

Yesterday about ½ p. 5 o'Clock P M. Your Excellency's favor of the 25th was brought to me in Congress and was immediately presented.² The person who had been the bearer of it was anxious to obtain a receipt for the Letter to express the time of delivery and he complained of unnecessary detention half the day at the Susquehanna Ferry. This intimation will answer his purpose.

I am directed by Congress to request Your Excellency will immediately require all Officers Civil as well as Military in the Army, who are at present delinquent, to comply with the terms of an Act of Congress of the 3d Feby last by taking the Oath of allegiance and abjuration and that Your Excellency will be pleased to cause the necessary Certificates as speedily as possible to be returned and if occasion shall be given which is supposed to be scarcely possible the Name or Names of such persons as shall refuse.³

⁴ See the *Journals*, Apr. 22. Cf. no. 202, note 5, *ante*, and nos. 225, 230, 253, *post*. [222]¹ Library of Congress, *Letters to Washington*, XCII. 108; *ibid.*, President's Letter-Book, I. 279; *Letters to Washington* (ed. Sparks), II. 110.

² Washington's letter of Apr. 25, relating to the British peace commission, is in *Writings* (ed. Ford), VI. 497, (ed. Sparks), V. 340.

³ This order is not found in the *Journals*. See Washington's reply, May 1, in *Writings* (ed. Ford), VII. 1, (ed. Sparks), V. 352.

The Bearer hereof will deliver three Packets containing about 600. blanks which will hasten the business of Administring Oaths. more shall be sent by the next Messenger.⁴

In considering the article of Provision to be made for Officers who shall continue in the Army to the end of the War Congress had proceeded so far last Night as Resolving that one half the present Pay be continued during Life without exceptions of Country, to all such Officers as shall also take the Oath of Allegiance and actually reside within the United States. This Resolution and the whole plan for Military establishment is subject to further discussion respecting the propriety of transmitting it to the several States for concurrence.⁵

223. HENRY LAURENS TO GEORGE WASHINGTON.¹

YORK TOWN 27th April 1778.

Sir,

The News Papers which I received from Your Excellency in company with the honour of Your Excellency's Letter of the 18th afford me sometimes amusement in intervals from the necessary duties of my present station, and I am particularly indebted to Your Excellency for the notice which is included in the kindness of this favour.

Your Excellency is too well acquainted with the Integrity of your own heart and too well assured of the good opinion of your Country Men to admit any anxious impressions from the forgeries of an Enemy. I am disposed to vote for every exertion in our power in order to defeat their designs against us, except following such of their examples as will when related in history greatly abate from that Character of Generosity which England and upon good grounds once boasted.

The late attempt by publishing forged Resolves of Congress within a Garrison'd Town immediately under the Eye of a Commander in Chief appears to me to be mean and scandalous, and must be considered in the same light by every good Englishman, Military, or in public or private Life.²

⁴ See Bibliographical Notes, *Journals*, XII. 1281.

⁵ Cf. nos. 202, 206, 211, *ante*, and nos. 231, 242, 247, 255, 282, 287, *post*. See the *Journals*, Apr. 25-27.

[223]¹ Library of Congress, Letters to Washington, XXIII. 48; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 58; *Letters to Washington* (ed. Sparks), II. III.

² In his letter of Apr. 18 Washington had enclosed a draft of what turned out to be Lord North's Conciliatory Bills, which he was inclined to regard as forgeries. In a letter of Apr. 20, however, he indicated that their authenticity was scarcely to be questioned; and in one of Apr. 23 he transmitted the letter of Governor Tryon, which he had received the day before, certifying to their genuineness. In the letter of the 23d he also enclosed a copy of the *Evening Post*, no. 475, containing what purported to be resolves of Congress of Feb. 20, declaring that all troops then in the army or afterwards enlisted should be deemed to have enlisted for the duration of the war, and that all who might leave under pretence that their terms of service had expired should be apprehended and punished as deserters. These forged resolves are also found in the *New York Gazette* of Mar. 9. Washington's letters are in *Writings* (ed. Sparks), V. 316, 319, 336. See also his letter to John Banister Apr. 21 (*ibid.*, p. 321), and that to Governor Livingston Apr. 22 (*ibid.*, p. 331). The letters are also in *Writings* (ed. Ford), VI. 472, 474, 477, 492. See no. 209, *ante*, also Lovell to Bingham, Apr. 26, in Wharton, *Rev. Dipl. Corr.*, II. 559 ("Triplicate" in the Library of Congress, Papers Cont. Cong., Misc., Portfolio 104).

We are now verging towards a most important Crisis when all the Wisdom of these States will be required. Permit me Sir, to lay before you my private Sentiments: If the time shall come for appointing a Deputation for treating with British Commissioners on terms for establishing Peace I hold it necessary that able Men be called forth for that purpose from any place within the Union without confining our election within any one State or Body.³ I intreat Your Excellency's pardon for this freedom and that you will believe me to be with the most sincere Esteem and Attachment

Sir Your obliged and Most obedient Servant,
HENRY LAURENS

224. HENRY LAURENS TO THE GOVERNOR OF NEW JERSEY
(WILLIAM LIVINGSTON).¹

Dear Sir

27th April [1778.]

You will have heard long before this can have the honor of kissing your hands, that Commissioners are daily expected from Whitehall to offer, or to treat on, terms for peace. you will also have heard the Names of the illustrious Characters marked on the other side for the Momentous work, and the Contents of an Interesting Letter dated House of Commons 5th Feby. Governor Johnson to Robert Morris Esquire² speaking in too plain language the Governor's opinion in favour of a dependent connexion, which I suppose to be the sentiment of every Man in Britain, and if Administration despair of beating they will make use of our friends to chouse us. but this is not the end of my troubling Your Excellency in such haste as I am at present obliged to write.

We are verging Sir towards an important Crisis. it may become necessary to appoint Citizens for meeting and conferring with yonder Commissioners. all the Wisdom of America will be required. shall we confine our selves in the election of persons on our part to a particular State or Circle, or shall we call proper Men from any or every part or place in the Union?³

permit me Sir under this Cover to transmit Copies of an Act of Congress of the 23d Inst. for granting pardons and Recommending to the States to enact proper Laws or Issue proclamations for that purpose.⁴

225. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
GOVERNOR OF NORTH CAROLINA (RICHARD CASWELL).¹

Sir,

27th April 1778

I had the honor of writing to Your Excellency the 24th by Messenger Stuart. Yesterday by the hands of the Honble. Mr. Harnet under a blank

³ Cf. no. 221, *ante*, and nos. 224, 242, 255, *post*. Washington's reply to this letter, Apr. 30, is in *Writings* (ed. Ford), VI. 508, (ed. Sparks), V. 350.

[224]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 59; *ibid.*, vol. of copies, p. 298.

² See the *Journals*, Apr. 27, p. 398, note 2.

³ Cf. no. 223, *ante*, 242, 255, *post*.

⁴ See the Bibliographical Notes in the *Journals* (ed. Ford), XII. 1282; also no. 201, note 4, *ante*.

[225]¹ Library of Congress, President's Letter-Book, I. 282.

Cover I conveyed Copies of an Act of Congress of the 23d for granting pardons and recommending to the several States to enact Laws or issue Proclamations adapted to obtain the great end in view. As this may possibly reach Your Excellency before Colonel Harnet's arrival at New Bern I judge it necessary to forward another Copy of that Act under its Cover.

No part Sir, of the various transactions of business in my Office nor all the hard labour of the last Six Months has occasioned me so much pain as I feel at this Instant from the Duty of transmitting a paper which Your Excellency will find inclosed, containing minutes of Congress respecting the Honble. Mr. Burke one of the Delegates from North Carolina, from the 10th to the 25th April, which Your Excellency is requested to lay, in due time, before the Assembly of that State. The Honble. Gentleman who is most nearly concerned in this Novel untoward circumstance intends to return to Carolina in a very few days. The course of my Duty constrains me to the present transmission, but I am persuaded it is not the desire of Congress to take advantage of Mr. Burke nor to hurt his Character by impressions made in his absence on the minds of his fellow Citizens, or without affording a reasonable time for his appearance at the tribunal of his Country, where only the Honble. Gentleman holds himself amenable.²

P. S.

As Govr. Tryon has been sending Lord North's draughts of Bills to the several Governors and General Officers in this Quarter 'tis not to be doubted Your Excellency has been or will be insulted in the same way by some other Tool of the British Ministry.

226. THOMAS BURKE TO THE PRESIDENT OF CONGRESS.¹

YORK April 28th 1778

Sir

The Instrument authenticating my last Election as a Delegate from North Carolina is dated May the 4th 1777. both my Colleagues have informed me that they believed the Election was made on the 28th of April preceding. the Constitution of the State requires the Election of Delegates to be annual, and it is a fundamental principle that the Constitution is a fixed rule of Conduct for all the powers of the State, which cannot be dispensed with, or Deviated from, unless the Collective Body of the People give special authority for that purpose. All these circumstances induce me to believe that my power of representing the State is at an End. The Instrument referr'd to is on the Journals of Congress and they can determine whether my attendance can be longer commanded. I request you Sir to lay the matter before them for their Opinion that my absenting myself may not be deemed a Contempt or breach of Order. I should have Submitted my difficulty at a more early day in my place, but that I was unwill-

² See nos. 220, *ante*, 226, 233, 235, 236, *post*.

[226]¹ Library of Congress, Papers Cont. Cong., no. 78, pt. II., p. 473; *N. C. State Recs.*, XIII. 105.

ing to Interrupt the attention of Congress which was employed on objects far more Important.² The same cause kept me silent on another matter which I shall now beg leave to mention in this which I suppose is the only way remaining, for I hope my Country has yielded to my earnest request, and excused me from the Delegation.

I feel myself under a Sense of very respectful Obligation to you and most of the Gentlemen of Congress for the Solitude which appeared for me on a late occasion, and am persuaded that nothing but my being so unhappy in my Expressions as not clearly to convey my Ideas could have occasioned a mistake which is on your Journals. I am there represented as attempting to Justify withdrawing from Congress without permission, in an Instance which interrupted very important business. Such Justification is Sir what I never did attempt, nor do I think that or any other breach of Order justifiable. my attempt was intended only to excuse my departure under particular circumstances, by alleging that the same thing had been usually done by other Members without reprehension and that the time and occasion were not improper for using a Liberty which had been denied to no other member. I am also represented as sending an Indecent Message to the House which I protest was never my Intention. the matter respecting the Member from New York, I never conceived myself called upon to answer, but it is not of Consequence enough to trouble you with. I do not mean now Sir to withdraw this matter from the Jurisdiction of my Constituents. it is in the train I wish it to be. To them I hope I can shew that the House entirely mistook my meaning, and when it can be done without injury to the Common Cause, I shall Solicit their attention to the Subject, but not before if I can avoid it. My sole purpose at present is to prevent Gentlemen whom I greatly esteem and respect from retaining Impressions of me which I am unconscious of deserving. This I hope to Effect by declaring that I hold no Citizen in any rank or station Justifiable in doing any act, on any pretence, which may tend to the public prejudice, or in forbearing to do any act which is requisite for public Service That I hold no man Justifiable for using Language or Manners not sufficiently respectful to the Assembly or Society of which he is a Member. That attendance in Congress at all times when required by the President either in or out of the House is in my opinion what every member is absolutely bound to, and the House itself is Judge of the respect with which the whole or any of the members is to be treated in debate and I only meant to Insist on the right each freeman must Necessarily have of Judging for himself on the reasonableness or unreasonableness of every Exercise of Power, and on the peculiar Right of the States to apply any punishments which should go beyond censures. These I advanced occasionally in debate, as general political Opinions not in Justification of any thing that had happened but in answer to some things thrown out by other Gentlemen which seemed to me to hold up Opinions very different from them for the adoption of the House I hope they are not dangerous and that persisting in them is not disrespectful to the honorable Members. If the Language and manner in which I deliv-

² See no. 220, *ante*.

ered my Sentiments was not sufficiently respectful in the Opinion of the House, I beg they will attribute it to Inadvertance or Imperfection of Temper, not to design. I beg they will believe that no man is more unwilling to give offence, no man more sincerely laments it when it happens through warmth or earnestness of natural disposition.³

I have the honor to be

with great respect and Esteem

Sir your very obedient Servant

THOS BURKE

Hon'ble Henry Laurens Esqr.
President of Congress.

227. HENRY LAURENS TO JOHN LAURENS.¹

YORK TOWN 28th April 1778.

My Dear Son,

. . . . I am glad our Act of the 22d pleases you.² It appears to me to be sufficiently energetic for the present purpose. the last paragraph one excepted will point out to the illustrious Commissioners from White Hall, from whence to take their departure, and save much time which might otherwise have been spent in Ceremonious preliminary. my sentiment is, that this little Clause of 7 Lines nullifies many Pages of their Instructions. it certainly contains a complete answer to the Laborious performances of Lord North and the Labours of the blood thirsty Tryon. the Tit for Tat, which your General lately gave to the Quondam Governor must exceedingly mortify a Man of his arrogance.³

some of our people here have been exceedingly desirous of throwing abroad in addition to the Resolutions an intimation of the willingness of Americans to treat with G Britain upon terms not inconsistent with the Independence of these States or with Treaties with foreign Powers. I am averse. we have made an excellent move on the Table. rest until we see or learn the motions on the other side. the whole World must know we are disposed to treat of Peace and to conclude one upon honorable terms. to Publish therefore is unnecessary. it would be a dangerous Act, encourage our Enemies and alarm our friends.⁴

³ See the *Journals*, Apr. 10, 11, 24, 25, 28; also nos. 220, 225, *ante*, and nos. 233, 235, 236, *post*.

[227]¹ Long Island Hist. Soc., Laurens Papers.

² Laurens is replying to a letter of John Laurens dated Apr. 27, in *Army Correspondence*, p. 162. See also John Laurens's letters of Apr. 1, 18, 20, *ibid.*, pp. 151, 159, 161.

³ The reference is to Washington's letter to Tryon Apr. 26. See no. 221, note 3, *ante*.

⁴ The "Proposal for Treaty with Great Britain", no. 239, *post*, is the evident crystalization of this sentiment, although it may not as yet have been brought forward in form. See also nos. 242, 245, 253, *post*. John Laurens replied May 1 (*Army Correspondence*, p. 166), "I am entirely of your opinion on the subject of the proposed addition to the resolutions". Cf. his letter of May 4 (*ibid.*, p. 167); also a passage in his letter of Apr. 27 (*ibid.*, p. 163).

228. HENRY LAURENS TO LOUIS FLEURY.¹

28th April [1778.]

Sir,

I find my self indebted for your several favors of the 10th 14th and 25th Feby and this day I have been further honoured by the receipt of yours 25th Inst.²

Congress will not attend to applications relative to Rank in the Army until an arrangement which is still under consideration shall be completed.

I have however conversed with friends on the particular subjects of your Letters and learned their sentiments.

It is admitted, that through the importunate and incessant pressing of different french Gentlemen for grade there may be instances of Commissions granted to some which seem to others, injurious to themselves respecting relative Rank, but on the other hand it is insisted, as an undoubted fact, the Commissions in almost every case granted to foreigners are comparatively disgraceful to the American Officers, and that there is no just ground for complaint by the former, that in order to avoid such mistakes for the future, as through a hurry of business, a business altogether new in this quarter of the World, have heretofore happened, it is necessary to wait until Congress shall be possessed of a Complete list of the Army and to grant no more Commissions except in very extraordinary Cases. Your case is not allowed to be one, unless it shall be said you have received extraordinary promotion in acknowledgement of extraordinary services and that an extraordinary degree of attention has been paid to you as a Foreign Ally, extraordinary in comparison with the ordinary course of proceeding towards many very meritorious Sons of America.

these I say are private Sentiments drawn from friends among my Co-adjutors in Congress. a direct application to the House after I have been so well informed of the minds of Members would not only produce no good effect but in my opinion would be offensive.³ nevertheless if you judge it proper to risque and will direct a Memorial immediately to Congress it will become my Duty to present it and you may rely upon the fidelity as you may upon the friendship of

Sir your most obedt. Servt.

P. S. I have within a few days past seen repulses given to written requests made by Genl. Gates for Commissions to officers of whose merits he spoke very warmly in Two Instances—upon the principles above mentioned.

You remark that you have made a journey of 6000 Miles—that length will reach much further than the remotest part of France—but my Dear Sir, reflect a moment how many thousands are wishing to travel all that distance for moderate promotion and the assurance of an Assylum.

[228]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 66.

² Cf. no. 80, *ante*. A communication addressed to President Laurens, Feb. 25, signed by both Fleury and Duplessis, is in *Correspondence of Henry Laurens* (Moore, *Materials for History*, I.), p. 95. A letter (mutilated) from Fleury to Laurens Apr. 24 is in the Library of Congress, Laurens Papers. Concerning Duplessis, see nos. 22, 46, 60, *ante*.

³ Cf. no. 264, *post*.

229. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO HENRY LEE.¹

28th April [1778.]

Sir

I had yesterday the honor of presenting your Letter of the 24th to Congress, and this Evening by order of the House I issued a Warrant on the Treasury for 50,000, Dollars for the use of your Corps of Horse pay[a]ble to Lieut: Rudolph to whom the warrant is delivered. some difficulties arose in Congress respecting the propriety of seizing Horses within the State of Maryland which occasioned a Report from the Board of War on that head to be laid aside for future consideration. in the mean time I have referred Mr. Rudolph to a Gentleman one of the Delegates from that State who had promised to point out places to him where he may purchase good Horses at about £125. per Horse, and avoid the violence and danger of seizing private property. Mr. Rudolph will undoubtedly communicate such information as he may receive.²

230. THOMAS MCKEAN TO THE PRESIDENT OF DELAWARE.¹

Dear Sir,

Your favor of the 18th instant came safe to hand. If the General Assembly continue to sit a few weeks and I can be informed of that intention, and that it would be agreeable to them, I shall do myself the honor to wait upon them upon notice, being anxious to render any and every service in my power to that virtuous Body. The affair of the hundred men I have not yet had opportunity to move, but am told three hundred are ordered to be raised on the Eastern shore for the purpose you mention, which it is thought will be sufficient.² I congratulate you on the success of Lieutt. Colo. Pope, and should be glad to know whether any prisoners were taken and what has been done with them. The Congress sometime ago passed an Act for the apprehending Charles Gordon and Thomas White Esquires and such others as were notoriously disaffected and active agt. their country in the Delaware State. This took its rise from a motion of the Delegates of Maryland, founded on an Information given to, and an intercepted letter of Thomas White's laid before the Governor and Council of Maryland, and some kind of claim they had to the persons named, they being lately subjects of that State, living upon their borders and carrying on an iniquitous conspiracy within that State. The intention was to have them imprisoned in Maryland, and to prevent any revenge on the part of these men or their adherents agt the Executive Power of the Delaware State, and also to prevent their being rescued out of our Goals

[229]¹ Library of Congress, President's Letter-Book, I. 283.

² See the *Journals*, Apr. 27, 28. Cf. *Pa. Arch.*, first ser., VI. 427, 429, 440, 444, 454. The letter at p. 440, signed "Thos. Lee", was evidently from Maj. Henry Lee. John Rudolph (of Maryland) was a lieutenant of Lee's battalion of light dragoons. See the *Journals*, Apr. 7, and no. 188, *ante*.

[230]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia. Addressed, "His Excellency Caesar Rodney Esquire, President of the State of Delaware", with the notation, "On Public Service".

² See the *Journals*, Apr. 23. Cf. note 3, below.

by the Enemy or the Tories, or their being liberated by habeas corpus, as the General Assembly had not suspended the habeas corpus Act. I have heard that they have since been taken, and discharged by ha. cor. and that Gordon has again joined the Enemy. Tho' it was perfectly right to enlarge them on this committment, yet the charge made agt them by Congress would have been sufficient ground for my brother Chief Justice to have bound them to the[ir] Good Behaviour.

I should have mentioned this affair to you or Mr. Read before, but that it was ordered to be kept secret, lest the execution of it should be frustrated. I was called upon to name some of the most dangerous men in the State to be added to the others, but I refused, alledging the people there were now becoming good Whigs, and I hoped there would be no occasion.³

Now for most important intelligence. You will receive ten papers herewith, published by Congress, which will give you part of it, and which I must beg you will distribute among the Members of the General Assembly. The Bills have been passed into laws, and Lord Amherst, Admiral Keppel and General Murray are the Commissioners. This whole affair will (I know) surprize you, but it has been owing to preliminaries for a treaty with Congress from France being intercepted, tho' the duplicates have not yet been received here. I have not a fear of an Acknowledgm't of our Independance, and an honorable peace, if British Honors, Offices and Gold do not tempt and corrupt your Members of Congress and the Generals and principal Officers of the Army.⁴ Do Sir, as I have not time to write to any body else, press the General Assembly to send two more Delegates here, and inform them that you know with certainty I am determined never to give up the Independance of the United States, after so much expence of blood and treasure, whilst I have a breath to draw; that I shall neither be allured nor intimidated into it; and that, if this resolution should not meet with their fullest approbation, they would be pleased to remove me immediately.

God grant us virtue and fortitude in this hour of trial. I have worked double tides (as the Sailors say) all the last week, being every day in Court, and also in Congress, which latter sat on the Fast Day and also yesterday. Our Officers will be allowed half pay for life, under sundry limitations and restrictions; the thing not finished but near it. The Bell tolls for Congress. Adieu. I am, dear Sir,

Your most obedient humble Servant

THOS. M: KEAN

YORK TOWN, April 28th 1778.
Governor Rodney.

231. HENRY LAURENS TO JACOB CHRISTOPHER ZAHN.¹

Dear Sir,

28th April 1778

. . . . We have been long battleing in Congress on a half pay establishment to take place after the present War for our Officers which I hold to

³ See the *Journals*, Mar. 26, Apr. 10, 13, 15, 20, 23, May 21. Cf. nos. 176, 207, 208, 210, 217, 220, *ante*.

⁴ Nos. 203, note 5, 213, note 2, *ante*; also *Letters of Richard Henry Lee*, I. 394. [231]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 61. Addressed to him at Sante, South Carolina.

be inconsistent with our original Compact, unjust in a comparative view with the Militia and with the Soldier in general unconstitutional and dangerous. upon these several branches I have endeavored to reason against the measure and may by and by shew you my sentiments. if the Question is carried it will be by a bare Majority of one State.² . . .

232. GOUVERNEUR MORRIS TO JOHN JAY.¹

YORKTOWN, 28th April, 1778.

Dear Jay:

. . . . We have ordered troops from the highlands, but we will send thither a general, who shall be empowered to call forth the swarms of the eastern hive.³ Men were necessary at the Valley Forge. I have a good knack at guessing. I guess the enemy won't attempt Hudson River.

I do think of Vermont:⁴ and unless I mistake, matters shall be managed to effect, without bellowing in the forum, which I believe hath been a little too much the case. But why should I blame impetuous vivacity—hath it never led me into an error?

Putnam will soon be tried.⁵ The affair of Schuyler and St. Clair laboured under awkward circumstances. Their friends and their enemies appear to me to have been equally blind. I enclose extracts from the minutes made the other night to possess myself of the real state of facts. There are some other entries from time to time. It was erroneous to order a committee simply to collect facts; they should have been directed to state charges. This morning, my colleague being absent, I got a committee appointed for the latter purpose: Sherman, Dana (Massachusetts), and Drayton (South Carolina).⁵ This was unanimous, and yet I would have undertaken to argue for it in a style which would absolutely have ruined the measure. You know it would have been easy to say, *justice to those injured gentlemen*, instead of *justice to an injured country* requires, etc.

Great Britain seriously means to treat. Our affairs are most critical, though not dangerously so. If the minister from France were present as well as him from England, I am a blind politician if the thirteen States (with their extended territory), would not be in peaceable possession of their independence three months from this day. As it is, expect a long war. I believe it will not require such astonishing efforts after this cam-

² Cf. no. 222, note 5, *ante*.

Zahn's middle name as entered in the letter-book may be either "Christ." or "Christⁿ." Jacob Christopher Zahn is mentioned in A. S. Salley, jr.'s *History of Orangeburgh County*, pp. 275-276, as a representative from St. Matthew's Parish, Orangeburgh District, in the South Carolina assembly in 1779. In 1775 he was a member of the provincial congress (*ibid.*, p. 258).

[232]¹ *Correspondence of Jay* (ed. Johnston), I, 177.

² General Gates had been ordered to Fishkill Apr. 15, to take command of the Northern department.

³ See nos. 127, *ante*, 237, 381, 426, *post*.

⁴ Washington sent the report of the court of inquiry to Congress July 28. See the *Journals*, June 20, Aug. 4, 17.

⁵ According to the *Journals* the committee was appointed Apr. 29. The date at the head of this letter may therefore be an error. The committee "to collect the evidence and the facts relative to the evacuation of Ticonderoga and Mount Independence" was appointed Aug. 28, 1777. See no. 181, note 4, *ante*, and nos. 243, 308, *post*.

paign to keep the enemy at bay. Probably a treaty is signed with the house of Bourbon ere this; if so, a spark hath fallen upon the train which is to fire the world. Ye gods! what havoc doth ambition make among your works. . . .

233. THOMAS BURKE TO THE NORTH CAROLINA ASSEMBLY.¹

[April 29, 1778.]

I beg leave to submit to the Assembly the following State of Facts and the proofs relating to them, also of my Motives and Sentiments which gave occasion to the transmissions from Congress.²

General Washington had written complaining of some Embarrassments in forming a Cartel occasioned by several Resolutions of Congress which he deemed inconsistent and requesting something to be done to remove them.

A Committee was appointed to draught an answer. A draught was reported and it was the subject of Debate on the 10th of april it was in many parts in my opinion exceptionable and I together with some other Members opposed those parts. The members of the Committee were very strenuous in their Endeavours to carry it through. The Exceptionable Parts seemed calculated to wound the General's Sensibility, and I could perceive no Necessity for it. After the Day until ten O'clock at Night had been Spent in debate on One paragraph which was at length amended, an adjournment was moved for, and the Committee Strenuously pressed to go through the remainder of the Letter that night tho at so late an Hour. I who had sustained a principle part in the Debate was totally unable to continue any longer by reason of the violence of a fit of an Intermitting fever under which I labored.

I admit that I withdrew etc. My reasons were the following³

The subject under Debate was a Draught of a Letter to General Washington reported by a Committee, in answer to one relative to the Exchange of Prisoners in which he complained of being wounded in his feelings and embarrassed by Some Resolutions of Congress which appeared to him inconsistent.

The Draught seemed exceptionable in many parts which tended to give pain to the General without answering any good purpose, and they were opposed by some other members and myself. the whole day until 10 at night was taken up with Debate on One paragraph which was at length amended. At that late hour the members of the Committee pressed very strongly to proceed and finish the letter before adjournment.⁴ They

[233]¹ N. C. Hist. Comm. Rough draft undated and unsigned, but in the writing of Thomas Burke.

² See nos. 220, 225, 226, *ante*, 235, 236, *post*. This statement was probably written for presentation to the North Carolina assembly at the time when that body took Burke's affair with Congress into consideration, but it may appropriately be placed here, alongside of the other principal documents relating to the affair. Governor Caswell submitted the matter to the assembly Aug. 12, and the report upon it by a committee, of which William Hooper was chairman, was brought in Aug. 14. (See *N. C. State Recs.*, XII. 769, 792, 825, 843. The report is also found *ibid.*, XIII. 208.) See also no. 531, *post*.

³ Burke has here rewritten his statement of the proceedings of Apr. 10.

⁴ Following the word "adjournment" the words "that night" are erased. The word "strongly" was substituted for "strenuously".

seemed very strenuous for carrying through the draught as reported. I was of opinion that it ought to undergo many amendments which from that day's debate I perceived could not be Effected without ⁵ very Strenuous Opposition. I deemed it therefore very improper to proceed when our faculties were exhausted. besides this General reason I had one peculiar to myself. I had been obliged to take a principle part in the Debate altho during the whole afternoon I labored under a severe fit of an Intermitting fever, and at the time when the Question for adjournment was debated was so oppressed with the head ach attending it as to be ⁶ unable to give due attention to any Subject. [I found that my Endeavours were necessary for procuring the amendments to the report and could not reconcile it to my Duty or to my Sense of Justice, honor, or Utility to let it pass without using every Endeavour in my power to have it amended in the exceptionable parts.] ⁷

I have penetrated the personal character of General Washington. in my Judgement he is a good officer and most excellent Citizen, moved only by the most amiable and disinterested Patriotism, he perseveres in encountering extreme difficulties dangers and fatigues under which he seems sensible of no uneasiness but from the Misfortunes of his Country and of no pleasure but from her success. his few Defects are only the Excess of his amiable Qualities, and tho I am not of opinion that any Individual is absolutely Essential to the success of our Cause, yet I am persuaded his loss would be very severely felt, and would not be easily supplied. with this Idea of him, I could not but deem it very impolitic to hazard giving him disgust when no good cause required it. Nor could I avoid deeming it unjust, and ungenerous to give unnecessary offence and Insult to so worthy a man who had so well deserved of his Country. had a Majority of Congress been for it, I would nevertheless have used my most strenuous endeavours against it, for neither as the Citizen or Magistrate will I ever forgoe the Sentiments of the Independent Republican, but as I had great reason to believe that very few in Congress would agree to such a Measure if rightly understood and even the few would err Rather through excess of misplaced Zeal than ill disposition, there were still Stronger reasons for my wishing to prevent its passing when it could not receive due examination, and when I was *totally* incapable of performing my Duty. the Debate of the preceding day had Convinced me that even my Endeavours were not altogether unnecessary. the Sequel of the Business sufficiently Evinced that I Judged not amiss. the Report underwent long and Strenuous debates and was finally amended nearly agreeable to my Idea. Tis true that departing without leave is in strictness a breach of order, but it had been usually done, without reprehension, and I only used the same liberty which every other member had frequently done and in some recent Instances by two members of the Committee on Occasions far from being so proper or excusable as that under Consideration.⁸

⁵ The words "Much debate and" are here erased.

⁶ The word "totally" before "unable" is erased.

⁷ The passage in square brackets is marked "Dele" in the margin. The idea is expressed more cautiously farther on.

⁸ In the letter to Governor Caswell (no. 235, *post*), Burke gives a more complete and finished account of the affair.

234. THE CONNECTICUT DELEGATES TO THE GOVERNOR OF CONNECTICUT (JONATHAN TRUMBULL).¹

YORK TOWN 29th April 1778

Sir

We are honor'd with your Excellency's favour of the 3d Inst. by Brown Note the Contents. with regard to the Regulating Act the State of Pennsylvania have Suspended it and the other States to the Southward of this have done nothing on the Subject, not so much as appointed Committees to meet and take the matter under Consideration as we can learn. a Committee of Congress, appointed to take into Consideration the doings of the Committee at New Haven, have made their Report that the proceedings of the Committee at N. Haven be Sent to all the Southern States, and recommended to their Serious Consideration and that the Northern States Suspend the Act, in the mean time until they have further advise on the Subject from Congress—but no Resolution of Congress, is as yet passed on their Report—but we Expect it will soon be brought upon the Carpet.² Congress have in Contemplation a plan for making a large reduction of the Circulating quantity of Bills, as the most natural, and easy method of Supporting their Credit, hope this plan may soon be perfected.³

It appears to us from the best Sentiments we are able to Collect, that the Southern States never will adopt the regulating Act.

The marine board Seemd Sensible of Capt. Harding's Merit and on your Excellencies recommendation would have made his appointment accordingly had it been feasible—but their [*sic*] had been a predetermination that Capt. Hinman Should take the Command of that Frigate if he arrives in Season; ⁴ indeed their are a number of Capts. in the Continental Navy which they think may not be pass'd over, as several of them have now no Vessels and Consequently are out of Employ tho' on Wages. we wish to be favoured with an Acct of Mr. Bushnell[']s ⁵ Expences; as we are fully of opinion, that his genious ought to be encouraged and Rewarded at a Continental Expence, and shall take the Earliest Opportunity to urge it.

The States of Virginia and N York have fully Acceded to the Articles of Confederation South Carolina, Pensylvania, Rhode Island, and Massachusets have Instructed their Delegates to move for some alterations with power to rattify, Some what Similar to Connecticut. Some of the States have not yet furnished their Delegates with their proceedings

[234]¹ Conn. State Lib., Joseph Trumbull Papers, no. 168 (copy).

² The matter was brought up May 7. See also the *Journals*, Apr. 8, and no. 198, ante.

³ Cf. no. 218, ante, and no. 243, post.

⁴ Seth Harding was chosen captain of the *Confederacy* Sept. 25, 1778. Elisha Hinman was captain of the *Alfred* (see the *Journals*, Oct. 10, 1776), having previously been in command of the *Cabot*.

⁵ David Bushnell, whose experiments with the submarine *American Turtle* had been carried on by the aid of the Connecticut state government. See vol. II., p. 20 n.; also *Conn. Col. Recs.*, XV. 233-236, *Conn. State Recs.*, I. 212, 580. Cf. Paullin, *Navy of Am. Rev.*, p. 363.

upon the Subject. Col Wadsworth is appointed Com'y Genl. on his plan,⁶ we hope his Activity and abilities will remove the Embarrassments, which have been too sensibly felt ever Since Commissary Trumbull left that Dept. Genl. Gates is Ordered to take the Command of the posts on Hudsons River and the Northern Department.

It is said that Feb'y Packet, from England, is arriv'd at Philadelphia, but no Intelligence Transpires.

We are with much Esteem

your Excellencies most Obedient Humble Servants
SAM'EL HUNTINGTON
OLIVER WOLCOTT

235. THOMAS BURKE TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

YORK April 29th 1778.

D'r Sir:

You will receive from the President of Congress some Extracts from the Journals relative to me which will appear very odd to you if uninformed of several attending circumstances.² The history of the matter is as follows: A letter was received from General Washington relative to some resolutions of Congress which stood in the way of an Exchange of Prisoners; the House in general determined not to recede from the resolutions he complained of, which I believe I mentioned to you in a former letter.³ A Committee was appointed to draught a letter in answer. The draught was reported, and it appeared to several of us exceptionable in many parts, particularly in some Eulogisms on the whole Tenor of the resolutions of Congress relative to the Exchange of prisoners which we thought neither consistent with Truth or Modesty, and also in several charges against the General of suffering the Dignity and Honor of the United States to be Injured, charges which were I am persuaded void of all foundation. The whole indeed appeared to several Gentlemen as well as to me to indicate in the framers a disposition not friendly to the General, nor such as so good, so Important, so public spirited and Disinterested a Character deserves. One Paragraph had taken up the whole afternoon in debate. The members of the Committee had let themselves very largely into many foreign matters, declaimed very vehemently but to no other purpose than confirming us in our former opinions, and fatiguing every faculty. At length the exceptionable parts of the Paragraph were expunged and it received a very different dress. The members of the Committee strenuously urged that we should proceed and finish the letter that night, tho' it was then after ten o'clock. The principal opposition they met with through the day was from General Reid, of Pennsylvania, Mr. Drayton, of South Carolina and myself. I labored under a

⁶ Cf. nos. 175, note 2, 196, 205, *ante*.

[235]¹ *N. C. State Recs.*, XIII. 403.

² See nos. 220, 225, 226, 233, *ante*, and no. 236, *post*.

³ See no. 220, *ante*. Cf. nos. 188, note 5, 202, *ante*.

very Distressing fit of an intermitting fever, which heightened by the part I was obliged to take in the Debate, and the noise of loud, incessant Declamation, occasioned so violent pain in my head that I was totally unable to attend any longer. Mr. Harnett had been several days confined and there were only Nine States represented. In vain was all this and much more which was equally forcible, urged against Sitting any longer. The Question for adjournment was put, and before it came to me I was very apprehensive it would pass in the Negative and I determined to withdraw if no other way was left, to prevent our proceeding so improperly on business of such Importance. Those who know the Opinions that had long prevailed relative to a party against a certain great officer, will not deem this resolution an absurd one, tho' perhaps it was not the most prudent that could have been formed on the Occasion. The event took place nearly as stated in the Journal and I withdrew; the Messenger attended me soon after with a message which from his manner of Delivering it and from my knowing there could be no Congress without me I did not conceive to have come from the President, but from Mr. Duer, of New York, with whom I was on Terms of particular intimacy, and who I imagined, presuming on that Intimacy, had sent for me in order to his facilitating his carrying through the Letter, which seemed to be a favourite object with him. I returned an answer which I intended for him and in which I was not choice of expressions. Next morning⁴ the matter was opened by a member from Massachusetts, in a very illiberal manner, but with general observations, and general Inferences of Danger and Inconvenience if such practice was to be permitted. I rose immediately, observed that the application was doubtless intended for the Event of the preceding Evening, (I did not at this time know that my answer had been reported) and therefore said nothing relative to it to the particular Event. I said little more than I was indisposed, and my faculties had been so much fatigued by the whole day's attention that I found myself unable to discharge my duty, and I conceived very few other members were. To the general Observations and Inferences I answered that an unreasonable exercise of any Power was Tyranny, and that to keep a member at such unreasonable Hours and under such circumstances was in my opinion Tyrannical, and that I would not submit to it but by force on my person; that I considered every freeman as having a right to judge for himself when the Exercise of any Power was unreasonable, and if I erred in my judgment the power of punishing lay with the State I represented. If Congress should determine to what hour the members should attend in the afternoon as it had in the forenoon I would punctually attend, but while it was undetermined I must use my own judgment, at the risk of Incurring whatever Penalties my Country should adjudge. The members of the Committee who had framed the letter, now united, and labored strenuously to make a Mountain of this Mole-hill, talked vehemently of the insolence of appealing to the States, declared their disposition to proceed to Commitment or to Expulsion and lamented that

⁴ That is, Apr. 11. The member from Massachusetts was probably Francis Dana.

the circumstances of Congress made my presence Necessary and prevented them from moving to such purposes. They talked very much of the Contempt in calling any act of a Majority of Congress a Tyranny. I now perceived that I was on ground which it became my Duty to maintain with consequences to myself never so fatal. I addressed the President and declared I would sit patiently until every Gentleman in the House who chose to speak should exhaust the whole of his eloquence. I would only request them that if they chose to use any abusive language (for much had been used) they would reserve it for some other place, and when every one should have done I would reply. I accordingly sat very patient for Hours, and at length when every one who chose it had entirely done I delivered the following Sentiments: That my opinion of the power of Congress over its members had been often given in that Assembly and was well known to be that no member could refuse his attendance or even his Vote when called on, that the States furnish quotas of Council as well as Troops, that either would be furnished in vain if the Individuals assigned could refuse to perform the requisite Duty, that my name stood to this opinion on the Journals, but the Individual must of necessity Judge whether the particular Instance in which his performance is required be reasonable or not. If he judges wrong or disobeys without just reason he incurs the penalties provided for misbehavior in office, but the power of judging and punishing Delegates was never Committed to Congress by any Express act of the State I represented, that the opinion that each freeman had a right to judge of the reasonableness or unreasonableness of any act of power, and even to resist it if unreasonable at the risk only of the Judgment of his Country, I held to be the grand Principle of Whiggism and the best Security for public Liberty, a principle which I would never forego but with my Life, that the other opinion relative to the jurisdiction of the State over its delegates seemed to me to Involve the Sovereignty of the State and its Security in a representation since it would be impossible for its representatives to assert and maintain its rights with firmness and freedom if subject to arbitrary Imprisonments, and punishments by Congress and that I would never retract it but by the Express order of the State, who alone had power to give it up. That I would not justify the particular breach of order under Consideration, but hoped it might be excused because it was not unusual nor under its particular circumstances even improper. That as I discovered great favour in all the members except a few towards me on this occasion I was exceedingly sorry my Conduct or Language had given offense; that nothing was further from my intentions, that the words I used were the only names I knew for the things I wanted to express, that I held it an unworthy Business for a republican and a representative of a free and sovereign People to be looking out for courtly Expressions. That had the matter been opened with any regard to Liberality, a few words which I would have said would have Satisfied the House, and put an end to it, but as the matter was managed it became Inconsistent with my Duty and my honor to make any Concession without expressly insisting on my opinions. That with this reservation I would make any apology the House should

require, but without it I could make none which would not involve a breach of Trust to my Country, and no punishment could be devised which I would not meet sooner than be guilty of such an offence. The members of the Committee still persisted nothing would do but an Explicit acknowledgement of what they pleased to call my Error. I rejoined only that I knew no power who could make a man change his opinion before he was Convinced of his Error, that I was not and therefore would not acknowledge it. They proceeded now to enter on the Journals such a state of facts as they pleased. I desired only that they would enter a fair and full statement, that such as they offered were far from being so. After some time it was said by the Gentlemen that I should have an opportunity of answering and could set forth any that were omitted. In my answer I acquiesced, and so did the House. They then proceeded to take down some of my Expressions in debate. I required them to take down all that would speak my full Sense, and not detached Expressions; that I would give it to them as fully as they could wish, being firmly resolved not to retract one Iota of it. But I was answered, as before, that I could supply the deficiencies in my answer, and I acquiesced. The Entries were made and the president announced them in form. I thanked him for his politeness of manner, told him I hoped I could satisfy the House that no disrespect was Intended to them, but that I avowed my opinions as I delivered them in debate; that I persisted in them, and insisted on entire freedom of Debate. I was required to return an answer to the next adjournment, which was to be in the afternoon, and I desired no longer time; but afterwards the House changed it to Monday, which was the next day of Business.⁵

THOS. BURKE.

236. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
THOMAS BURKE.¹

YORK TOWN 30th April 1778.

Sir:

Within this inclosure you will receive the draught of a letter which you sent last night for my perusal.²

If I were called upon to give evidence in the case, I should deliver my sentiment without bias or partiality. I might vary in some particulars from your account, nevertheless upon a fair comparison, I think your narrative would not appear to be uncandid, especially if any consideration should be had to its coming from the party most nearly affected.

I have the honor to be with great regard Sir, your obedient and most humble Servant.

HENRY LAURENS

⁵ The *Journals*, Apr. 11, record (pp. 336, 337) that Burke was to make his answer on the following Monday (Apr. 13). This statement of Burke's, taken in connection with the record in the *Journals*, would indicate that Burke's written response, which is placed in the *Journals* (ed. Ford) under Apr. 11, properly belongs under Apr. 13. [236]¹ *N. C. State Recs.*, XIII. 108; Library of Congress, President's Letter-Book, I. 286.

² This was doubtless the draft of Burke's letter to Governor Caswell Apr. 29, no. 235, *ante*.

237. THE NEW YORK DELEGATES TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

YORK TOWN 30th April 1778

Sir

By Major Genl. Gates we take the Opportunity of inform'g your Excellency that we hope in a few Days to transmit you some Resolutions² of Importance to the State we represent at which Time we shall write fully upon the Subject. At present we have to request that you will afford Genl. Gates such Assistance in his important and extensive Command as may be in your Power.

We have the Honor to be with great Respect
Your Excellency's most obedient
and humble Servants

GOUVR. MORRIS
WM. DUER

238. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 30th April 1778.

Sir,

I had the honor of writing to Your Excellency the day before yesterday by Sharp.²

This bearer³ is dispatched by special order of Congress to return with the bundle of Papers, sent to Head Quarters some time ago by the Committee appointed to collect Evidence etc. on the loss of Tyconderoga and Mount Independence, which Your Excellency will be pleased to deliver to him.

239. PROPOSAL FOR TREATY WITH GREAT BRITAIN.¹

[April 30(?), 1778.]

Resolved— That notwithstanding the Unmerited Injurious and Cruel Treatment the United States of America have received from the hands of Great Britain, they are ever willing and desirous to put an end to the Calamities of war; and not averse from entering into a Treaty for peace and Commerce between the two Countries for the mutual Interest and Benefit of both, upon Terms not Inconsistent with the Freedom, Sovereignty and Independence of these States, or with any Treaties that are

[237]¹ N. Y. Pub. Lib., Emmet Coll., no. 2623.

² The reference is probably to the resolutions concerning Vermont offered by the committee on Clinton's letter of Apr. 7. See nos. 426-428, *post*. Cf. nos. 127, 232, *ante*, and nos. 381, 469, *post*.

[238]¹ Library of Congress, Washington Papers; *ibid.*, President's Letter-Book, I. 287.

² The messenger was Joseph Sharpe.

³ Laurens's letter of May 3 (no. 249, *post*) shows that the bearer was messenger Richard Ross. The *Journals* do not record the special order; but a committee was appointed Apr. 29 to examine the evidence. Washington transmitted the papers May 1.

[239]¹ S. C. Hist. Soc., Laurens Papers, XV.

or shall be made with any other Sovereign power, before such Treaty be formed.²

[Endorsed:]

Proposal for Treaty with Gr. Britain.

240. THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS AT PARIS.¹

YORK TOWN Apr. 30, 1778

Gentlemen

By the Gazettes which accompany this letter you will see that the Enemy are entering upon a plan which must shortly perplex us much, unless we receive dispatches from you to enlighten us as to your Situation and Transactions of which we have had no information since the latter end of May. As we have heard of the loss of Capt. Johnston and Capt. Wickes and know that John Folger was robbed, we cannot charge our present want of letters to negligence in you; but we think you should not rest satisfied without sending triplicates of your Dispatches.²

The commercial Committee will transmit to you the contract which they have entered into with the agent of the House of Roderique, Hortales and Co., The heads of wch contract happening to be at hand are inclosed.³

We have read a letter written by a Friend (Govr. Johnston) dated House of Commons Feb. 13th. in which we are told that "you had concluded a Treaty with France and Spain which was on the Water towards us." Imagine how solicitous we are to know the truth of this before we receive any proposals from Britain in consequence of the scheme in Ld. Norths speech and the two Draughts of Bills now sent to you.

The state of our foreign connections is a subject now before Congress; and, dubious as we are about your transactions some resolutions will

² This proposed resolution is doubtless the offering to which Laurens refers in his letter to John Laurens, Apr. 28 (no. 227, *ante*), and it is probable that it is to this resolution also that Laurens alludes in his letter to Lowndes, May 1 (no. 242, *post*). Moreover, it seems evident that Laurens's remarks in the letter to Lowndes refer to the motion made in the afternoon of Apr. 30, considered the next morning and postponed; for, although he speaks of the resolve as "lying a few days", it may well have been under discussion for a time before being formally offered. On the back of the document are the words, "2d. May Mr. ———"; but this is presumed to be the beginning of an incompleated note, and not an endorsement of the date of the motion. After the postponement, May 1, as recorded in the *Journals* (Laurens remarks in his letter of that date to Lowndes that it was "postponed generally"), it is not probable that the subject was brought up again May 2. At all events, after the arrival of the French treaties the motion would scarcely have taken that form. The notation referred to may have been made subsequently with the intention of setting down the author of the motion, with recollection hesitant both as to the author and the date. The endorsement on Drayton's motion (no. 245, *post*) suggests that the author may have been Samuel Huntington.

[240]¹ Am. Phil. Soc., Franklin Papers, IX. 99 ("No. 6, Copy"); *ibid.*, IX. 99a ("Triplicate"); Wharton, *Rev. Dipl. Corr.*, II. 567.

² The *Reprisal*, Capt. Lambert Wickes, was lost in a storm off Newfoundland. The *Lexington*, Capt. Henry Johnston, was captured by the British off Ushant (Paullin, *Navy of Am. Rev.*, pp. 287-291). The news of the loss of the *Lexington* came to Congress about Mar. 1, in a letter of William Bingham. See Lovell to Bingham, Mar. 2 (Wharton, *Rev. Dipl. Corr.*, II. 513). Concerning the Folger affair, see the *Journals*, Jan. 12, Feb. 23, May 8, 28; also nos. 24, note 3, 36, *ante*, 280, *post*.

³ See the *Journals*, Apr. 7, and no. 186, *ante*, nos. 279, 281, 437, *post*.

probably be formed to be transmitted to you by a special conveyance shortly, when a general account of our Affairs will also be sent.⁴ We have little uneasiness about the Strength of our enemy. Our currency must be supported in due credit; after which we may bid defiance to Britain and all her German hirelings. We wish every Advice and Assistance from you for the support of such Credit.

I am, with great Regard Gentlemen

Your humble Servant

JAMES LOVELL,

For the Committee of Foreign Affairs.

Honorable Commissioners in France

241. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO FRANCIS BAILEY.¹

30th April [1778.]

I writ to you the day before yesterday by Messenger Sharp.

Under Cover with this you will receive an Act of Congress for inviting Officers and Soldiers in the service of the King of Great Britain not subjects of the said King, to settle within these States.

this Act you are desired to translate and print in the German Tongue one Thousand Copies. let the translation be pure and the work done with the utmost expedition not delayed a single moment. inform me if you please when the Copies will be out of the press and I will immediately give the necessary directions for sending them to the places intended. let me strictly enjoin you not to suffer a single Copy to get abroad, but return the M. S. and all the impressions as you shall be directed.² . . .

242. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

1st May 1778.

Sir,

. . . Congress have been closely engaged on one branch of a proposed arrangement of the Army, which has been long pending. the first article

⁴ See the *Journals*, Apr. 21, 30, May 1, 28, June 1, 2. Cf. no. 244, *post*.

[241]¹ Library of Congress, President's Letter-Book, I. 287.

² See the *Journals*, Apr. 29, and nos. 242, 248, *post*. Francis Bailey was a printer at Lancaster, occasionally employed by Congress. See Evans, *Am. Bibl.*, V. 453. In a subsequent letter to him the same day Laurens wrote:

"After I had written to you this Morning it was discovered there had been a small error in Copying the Declaration to Foreign Officers etca. If this shall reach you in time please to make the necessary alterations directed in the paper here inclosed. dispatch alone will render the present effort successful or otherwise. I shall therefore be every hour in expectation of hearing the impressions are made. You may send 500 Copies immediately to York dry and hold in readiness the other 500, to be delivered to a Messenger who will call for them in his way to Camp" (President's Letter-Book, I. 288). May 4 Laurens wrote to Bailey: "Yesterday I received your favor of the 1st with the German Copies of addresses etca. by Ross. . . . Your specimen of Paper pleases much more than the price. this is beyond any I have yet heard of I must endeavor to be more frugal in the distribution of public Money" (*ibid.*, p. 293).

[242]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 68.

on the tapis is, an half pay establishment for Officers who shall continue in the Army to the end of the War [which] having met much opposition, has engrosed, with very little exception, our time for a Month past. this subject is at present suspended, for reasons which if I judge truly, are not assigned. the supporters of the measure perceive danger of losing the question should it be put at this time when there are only ten States on the floor and therefore wait to avail themselves of the voices of two or three which are daily expected,² but this grand business is succeeded by another said to be equally momentous and to which every other consideration must give place, the State of our affairs at foreign Courts. the reading Letters as a preliminary Step employed completely the six hours session of yesterday.³ I have however introduced my Colleague Mr. Chf. Justice Drayton into the Committee of Indian affairs and will enjoin him to collect the Committee and press for a consideration of the Resolves of Assembly alluded to above⁴ thence a Report will follow and be properly inducted to Congress, and I have no doubt in my own mind of obtaining all that our State expects relative to the expence of supporting an Indian Trade, unless our late acquisition of Land from the Cherokee people should be faintly urged in bar. I know some Gentlemen view that circumstance with a jealous eye. be this as it may, I think a demand so well grounded and which may be well supported by applicable precedents with which our Journals abound can suffer but slightly from opposition.⁵

Two days ago Congress completed a Declaratory Invitation to foreign Officers and Soldiers in the service of the King of Great Britain to quit such service and settle in these States, a Copy of which I will endeavor to lay before your Excellency. I like the scheme in general. my objection was to the last Clause⁶ Maryland, Rhode Island and New Jersey peremptorily refuse to bear any part of expence which may [arise] from the purchase or laying out the intended Grants of Land. New York and Virginia meaning the Delegates from these States, promised on behalf of their constituents to supply large quantities and it was intimated that the Carolinas and Georgia might well make up the deficiency. whatever were my sentiments respecting the policy of the measure, I felt a repugnance to binding my Country by any engagements, exceeding the powers vested in me and which she might for this and other obvious reasons refuse to confirm, hence I shall be found upon Record, No.⁷

All the States had for many Months been exceedingly remiss in Representation in Congress, fear I believe had operated upon many minds, partly of the excessive expence attending very bad fare in this Town and partly of a sudden surprize by the Enemy, and certainly had Sir William Howe been a Man of enterprize he might have possessed himself of

² Cf. no. 222, *ante*, nos. 244, 247, 255, 282, 287, *post*.

³ Cf. no. 239, *ante*, no. 244, *post*.

⁴ The passage alluded to is omitted. See note 5, below. Drayton was one of three members added to the committee on Indian affairs Apr. 29.

⁵ See the *Journals*, May 14, 26, 29. Cf. no. 287, *post*.

⁶ Laurens has appended here the following note: "originally an Agreement and although amended and made a Recommendatory Clause it is understood those States are to be exempted from all expence."

⁷ See the *Journals*, Apr. 15, 25, 29.

Congress. this delinquency has cost the Union Millions of Dollars. the days lengthen the weather mends, the Army is receiving reinforcements and Delegates drop in, we have lately been joined by some very able men and shew upon the floor about 23. New Hampshire Delaware and No. Carolina empty. New Jersey and Rhode Island one Delegate. the important Crisis to which we are now verging may possibly rouse the deficient States.⁸

In addition to the Act of Congress of the 22d April Congress had been moved to confirm a Resolve, Copy of which will also be Inclosed. upon its first appearance it was a favorite and I felt some anxiety lest it should succeed, but after lying a few days and a full discussion this Morning it was postponed generally.⁹

Major Genl. Conway lately for the second time taunted Congress by an application for leave to resign his Commission, and in notes so extremely rough as secured a Majority of 8 States of 9 in his favor.¹⁰ I say taunted, because I have since received a Letter from his Aid de Camp who knew the contents of the General's and probably the intents of it also, assuring me it was not the General's meaning to resign and praying my Interest to obtain a Repeal of the Resolution. he certainly was not in earnest in his first attempt, but I believe the door is now shut. his conduct respecting General Washington is criminal and unpardonable, severely censured by all the foreign Officers.

We shall probably soon be called upon to meet by a proper Deputation the Commissioners expected from White Hall. for this momentous interview, my private Sentiment is, that the Wisdom of the Union should be selected, that we should go beyond the bounds of Congress and of any particular State in our choice of Character it is probably too late to ask advice or Instruction, and if I do not misunderstand we shall find our Men in York Town. your Excellency shall receive early intelligence of determinations on this Subject.¹¹

⁸ Recent accessions were: Joseph Reed of Pennsylvania (Apr. 6), Richard Hutson of South Carolina (Apr. 13), Charles Carroll of Carrollton of Maryland (Apr. 15), Thomas Adams of Virginia (Apr. 16), George Plater of Maryland (Apr. 18), John Mathews of South Carolina (Apr. 22), Roger Sherman of Connecticut (Apr. 25), and Richard Henry Lee of Virginia (May 1). Philip Livingston of New York attended May 5, Thomas McKean of Delaware was in attendance May 11, and John Witherspoon of New Jersey May 16. Josiah Bartlett of New Hampshire and Samuel Adams of Massachusetts attended May 21, Jonathan Elmer of New Jersey May 26, John Wentworth of New Hampshire May 30, Thomas Heyward of South Carolina June 6, Henry Marchant of Rhode Island June 8, John Hancock of Massachusetts June 19, John Collins of Rhode Island June 20, Samuel Holten of Massachusetts June 22, and Titus Hosmer of Connecticut June 23. From Apr. 26 (*cf.* the *Journals*, Apr. 28) until July 16, when John Penn attended, North Carolina had no delegate in attendance. Meanwhile there were losses as well as considerable variations in the attendance of some of the delegations. *Cf.* Richard Henry Lee to Arthur Lee, May 19, in *Letters* (ed. Ballagh), I. 408.

⁹ The proposed resolve referred to is probably that found under Apr. 30 (no. 239, *ante*). It is less probable that the allusion is to the motion of William Henry Drayton May 1 (no. 245, *post*). *Cf.* no. 227, *ante*.

¹⁰ Conway's resignation, dated Apr. 22, was accepted Apr. 28. He was notified of the acceptance in a letter from Laurens May 7, addressed to him at Albany (President's Letter-Book, I. 299), and transmitted May 8, through General McDougall at Fish Kill (*ibid.*). The other instance was in his letter of Apr. 6, read in Congress Apr. 23. *Cf.* nos. 299, 317, 319, 320, *post*.

¹¹ *Cf.* nos. 221, 223, 224, *ante*, and no. 255, *post*.

243. ROGER SHERMAN TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

YORK TOWN May 1st 1778

Sir

I arrived here the 24th of last month. I dont know of any thing very material that has passed in Congress Since Col Dyer left it. Several important Matters are depending unfinished respecting the regulation and provision for the army, and for fixing the Credit of the Currency. there is a report of a Committee for Sinking 20 Million dollars of the first Emissions of the Continental Bills by a Loan, to recommend to the serious consideration of the Southern States the Report of the N Haven convention for stating prices, and to such of the States as have not sunk their outstanding Bills immediately, to do it and refrain from further Emissions.² A Committee is appointed to make preperation for the trial of the Genl. Officers who Commanded in the northern Department when the Fortresses of Ty. and Independence were abandoned. in behalf of the Committee I request your Excellency to transmit to me any depositions or other Information which you are possessed of that may be of use in that enquiry.³ The drawing of the Lottery of the united States Commences to Day the numbers and prizes are in the wheels.

P. S. The Articles of Confederation have not been yet taken up. No Returns are made from New Hampshire, N Jersey or Georgia; New York Assembly has Agreed to them without any alteration. North Carolina Agreed to only a small part and advised to defer the rest till the Conclusion of the war, tis said they will reconsider the matter and probably agree to the whole ⁴—New Hampshire, Deleware and North Carolina have no Delegates in Congress at present—all the states except N Hampshire were Represented last week Col. McKean is a Delegate for Deleware, he is now on the Circuit as Chief Justice for Pensylvania.⁵

244. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

YORK TOWN 1st May 1778.

D'r General.

Knox is to attend the Council.² Conway hath resigned and his Resignation is accepted.³ The Affairs of the Army are necessarily delayed by the foreign Affairs which have broken in upon us.⁴ As to the Half Pay

[243]¹ Conn. State Lib., Joseph Trumbull Papers, no. 244 (marked "a True Copy").

² See the *Journals*, Apr. 8. Cf. nos. 218, 234, *ante*.

³ See nos. 181, 188, 189, 232, *ante*.

⁴ See no. 191, *ante*. May 9 objections and amendments to the Confederation were called for, to be laid on the table on or before May 13, and Saturday, May 16, was set for taking the Confederation into consideration. This was not, however, done until June 20. See the *Journals*, May 9, June 19, 20, 22, 23, 25, 26, 27, July 9, 10; see also nos. 292, 293, 306, 336, 339, 367, *post*.

⁵ Cf. no. 242, *ante*, no. 244, *post*.

[244]¹ Library of Congress, Letters to Washington, XXIII. 63.

² Knox was the commander of the artillery. See the resolution of Apr. 27.

³ See the *Journals*, Apr. 28, and no. 242, *ante*.

⁴ See the *Journals*, Apr. 21, 30, May 1. Cf. no. 239, *ante*, and no. 242, *post*.

matters stand thus the Questions have been carried but by an Entry on the Minutes there is an Agreem't that a final Question shall be put whether it be finally determined in Congress or sent to the several States.⁵ When a Motion is made for this Purpose the Yeas will be Massa'ts Rhode Island, Connec: Jersey, and South Carolina the Nays will be N York Maryland Virginia and Georgia. Pensilvania is in a mighty flimsy Situation on that Subject having indeed a mighty flimsy Representation. I wish Boudinot were here. Delaware is absent who is with us as is N Carolina also absent. New Hampshire is absent who is against us.⁶ This is to go by Gates. I am respectfully yours

GOUVR. MORRIS.

I pay my Respects to Mrs. Washington.

245. WILLIAM HENRY DRAYTON, MOTION.¹

[May 1, 1778.]

Resolved

That the Commissioners of Congress at the Courts of France and Spain be instructed to inform those Courts respectively, that Congress are assured the King and Parliament of Great Britain intend very shortly to open a treaty with these United States to procure a reconciliation with that Kingdom. that Congress believe great Britain will consent to the Independence of America, only in consequence of the most absolute compulsion—that Great Britain is inclined to sacrifice much of her claim to bind these States in all cases whatsoever—that as it is the true Interest of America to be an Independent power, she will be inclined to relinquish her Independency, only from the most absolute necessity to do so—that the strength and resources of the two countries are considerably diminished by the War—that these States wish to be assisted with loans of money sufficient to enable them to support the credit of their paper money—and that an annual supply of money to the amount of Millions Livre and an immediate declaration of War by France and Spain against Great Britain would enable these United States to continue the War and with the blessing of God to establish their Independence. In addition to these representations, the said Commissioners shall demand a categorical answer of France and Spain to this point.

Whether or not they will grant to these United States an annual loan upon Interest of millions of Livres during the continuance of the War, and make an immediate Declaration of War against Great Britain.²

[Endorsed:]

Mr. Draytons Mo. 1st May—for Mr. Huntington's.

⁵ Cf. no. 242, *ante*.

⁶ Cf. nos. 242, note 8, 243, *ante*.

[245]¹ S. C. Hist. Soc., Laurens Papers, Promiscuous Letters, 1778-1780, vol. XV. (last item).

² This motion of Drayton was doubtless made when the subject of foreign affairs was under discussion May 1, and the endorsement indicates that it was offered as a substitute for a motion of Samuel Huntington. The *Journals* record only that a motion was made, discussed, and postponed (Apr. 30, May 1), but it is probable that the proposal found under no. 239, *ante*, is the original motion and this a substitute, since the former is more in keeping with the proposal characterized by Laurens in his letter of Apr. 28 (no. 227, *ante*), and in that of May 1 (no. 242, *ante*).

246. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN, 2 May 1778

My Dear.

. . . . I expect that Mr. Adams will be here by the latter End of this Month, as soon as he comes I shall Return. . . .

A false forged Resolution of Congress has lately been published both in Philadelphia and N York, setting forth an order to Genl. Washington to retain in his Army till the end of the War all Soldiers however inlisted or brot into Service, and this forged Resolution they take much Pains to spread in the Country.²

247. HENRY LAURENS TO JOHN LEWIS GERVAIS.¹

3d May, 1778.

My Dear friend,

. . . . One grand subject had employed Congress in a Committee of the whole and in the House near a Month, an establishment of half pay for Officers who should continue in the Army to the end of the War. I had in the Committee strongly opposed the measure before Mr. D's² arrival. if I have time you will receive within the present inclosure the grounds of my objections and nearly in the words I delivered them. that Gentleman on the same side in *Congress* has offered his sentiments with much energy and perspicuity. there was used a good deal of, what in my judgement is, *foul play* and you will allow there was some *violence* when I tell you the declaration of a Majority Man—"If the majority, said he, would be guided by me, we would take up the matter and carry it through at all events." when the question was put, if I remember right that Majority was 7 to 4 or 6 to 5. a Member or two dropped off and the business has since been Stagnant. auxiliaries are waited for. the Minority proposed to digest a plan and transmit it to the States for Instructions. it was no convincing argument, that, "perhaps, or I should say, probably the people will not agree to it", convincing I mean, of the rectitude of the intended Act, for how dare we establish a pension List, or attempt *any* measure repugnant to the good Will of the people. my reasonings were grounded upon the unconstitutionality, and the danger, and the inadequateness of the remedy to the necessity complained of but you will hear more of it by and by.³

248. THE PRESIDENT OF CONGRESS TO GEORGE WASHINGTON.¹*Sir.*

YORK TOWN, 3d May 1778.

My last trouble to Your Excellency was dated the 30th ulto. by Ross. The present will cover an Act of that date for ascertaining the Rank and pay annexed to Brevet Commissions. whether this is, or is not intended to have a retrospective effect, I think is not clearly expressed by the Letter, and as I apprehend such operation may in many Instances give Umbrage,

[246]¹ Conn. Hist. Soc., Oliver Wolcott Papers, vol. II., no. 54.

² See no. 223, *ante*.

[247]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 77.

² William Henry Drayton.

³ See nos. 202, 206, 211, 222, 231, 242, *ante*, 255, 282, 287, *post*.

[248]¹ Library of Congress, Letters to Washington, XCII. 114; *ibid.*, President's Letter-Book, I. 291; *Letters to Washington* (ed. Sparks), II. 115.

I shall embrace the proper opportunity of obtaining an explanation of the act or information to my own understanding.²

I despatch this Messenger principally to inform Your Excellency of an event the knowledge of which may nevertheless very probably have reached Camp before this can arrive there, as our Messenger from France Mr. Simeon Deane had spoken everywhere on his journey to York of the Treaties between the Court of Versailles and the United States of America which were executed on the 6th Febr'y 1778. These were read in Congress late last Evening and will probably be ratified and published in the course of the present Week, except a Secret Article which it is also probable is very well known abroad.³ Be this as it may I view the Treaties of Alliance and Commerce, although not Free from exception, as circumstances of advantage to these united States and which afford a bottom for vast improvements.⁴ I beg leave therefore to congratulate with Your Excellency and with every Friend to the great American Cause. I shall move Congress tomorrow to order duplicates of the Treaties to be immediately transmitted to Your Excellency in the mean time this⁵ of a letter from Doctor Franklin and Mr. Deane which will be inclosed will communicate the great outlines.

249. HENRY LAURENS TO GEORGE WASHINGTON.¹

YORK TOWN 3d May 1778.

Sir,

Soon after I had dispatched my Letter of this Morning² by McKlosky, the Secretary sent in the Inclosed Act of Congress dated 2d Inst. for

² See the *Journals*, Apr. 30, Cf. *ibid.*, Nov. 24.

³ The news had in fact reached headquarters May 1. Washington wrote to President Laurens that day: "General McDougall and Mr. Deane were so obliging as to transmit to me the outlines of the good tidings. As soon as Congress may think it expedient, I shall be happy to have an opportunity of announcing to the army, with the usual ceremony, such parts of the intelligence as may be proper, and sanctioned by authority. I have mentioned the matter to such officers as I have seen; and I believe no event was ever received with a more heart-felt joy" (*Writings*, ed. Ford, VII. 1, ed. Sparks, V. 352). See also Washington's letter of May 4 (*ibid.*, p. 355).

On the same day Lafayette wrote to Laurens: "hourea, my good friend, now the affair is over, and a very good treaty will assure our noble independence. . . . I hope a grand, noisy *feu de joy* will be ordered, it will give high spirits to our soldiers, it will run through the whole continent, it shall reach the ears of our good friends in philadelphia. I wish'd Mss Commissioners may arrive from england that very same day, where we shall let them know that we have discovered theyr jesuistical meanings, and the Candor of their propositions" (*S. C. Hist. and Geneal. Mag.*, VIII. 124). See also John Laurens's letters of May 1 and 4 (*Army Correspondence*, pp. 165, 167), and no. 265, note 2, *post*.

A special meeting of Congress was called on the evening of Saturday, May 2, for the purpose of receiving the treaties and other despatches. The treaties are recorded in the *Journals* under May 4.

⁴ Cf. no. 250, *post*.

⁵ The word "duplicate" (*i. e.*, a copy) is to be understood from the preceding sentence. The letter of Franklin and Deane was probably that of Feb. 8, found in Wharton, *Rev. Dipl. Corr.*, II. 490. Cf. a letter of J. B. Smith, May 3, in *Pa. Arch.*, first ser., VI. 466, which includes an extract of the letter of Dec. 18, 1777, from the commissioners in Paris (Wharton, *Rev. Dipl. Corr.*, II. 452). A letter of Franklin, Deane, and Lee, dated Feb. 16 (*ibid.*, p. 495), accompanied the treaties. With regard to the failure of Congress to apprise Washington of the purport of the secret articles of the treaty of alliance, see no. 265, *post*.

[249]¹ Library of Congress, Letters to Washington, XCII. 25.

² No. 248, *ante*.

raising two Regiments for the protection of the Western Frontiers and for authorizing your Excellency to appoint a proper Officer to the Command of Fort Pitt—a Copy of the Letter mentioned in the Act will also be inclosed.

I likewise transmit about 100 Copies of an abstract account of intelligence lately received from France which I have by the aid of Mr. Chief Justice Drayton had printed to day from an opinion that such an account will be acceptable in the Army, and not unuseful in the City.³

I have requested Major Brice who is so obliging as to take the charge of these to receive from Mr. Bailey printer at Lancaster 500 Copies of the Address to foreign Officers and Soldiers printed in the German Tongue which he has promised to deliver to Your Excellency.⁴

250. THE VIRGINIA DELEGATES TO THE GOVERNOR OF VIRGINIA
(PATRICK HENRY).¹

YORK, 3d May, 1778.

Sir,

Having heard that a Messenger from France was on his way to Congress with important dispatches, we detained the Express who otherwise would have set out yesterday that we might furnish your Excellency with the intelligence he brought. It is with singular pleasure we inform you Sir that this Messenger has brought to Congress authenticated copies of a Treaty of Commerce, and a Treaty of Amity and Alliance signed at Paris on the 6th of february last between France and these United States, and we understand there is abundant reason to suppose that the whole Bourbon family will immediately accede thereto. The Treaty of Commerce is exactly conformable to our own proposals, and it is upon the most generous and equal principles. The Treaty of Alliance etc. is professedly for security of the Sovereignty and absolute Independence of these States both in Government and Trade, and it agrees that if G. B. declares war against France on this account, or causes a war, or attempts to hinder her Commerce, that we shall make common cause, and join our Arms and Counsels against the common enemy. Each Country guarantees to the other the possessions that they do or may possess at the end of the war. Having heard these Treaties read but once in Congress, we cannot be more particular now. In general we find that his most Christian Majesty has been governed by principles of Magnanimity and true

³ No copy of this handbill is known to be extant, but *cf.* Evans, *Am. Bibl.*, V. 414 (no. 16111). *Cf.* nos. 255, 257, 261, *post.* See also nos. 259, 262, *post.*

⁴ See no. 241, *ante.* Cornelius Harnett wrote to Governor Caswell from "Poplar Grove near Wilmington" May 25: "Mr. Craike met a person on the road yesterday with a hand Bill printed by order of Congress, giving an account of a Treaty, betwixt France and the United States. Congress had not received the slightest intimation of this transaction when I left it, indeed our intelligence from Europe had been stopped for several months past, several of our Packet Boats having been taken by the enemy's cruisers, which almost cover the ocean. I left Congress in high spirits expecting the Continental Army to be very soon reinforced, and able to keep the Enemy within their bounds" (*N. C. State Recs.*, XIII. 136).

[250]¹ Va. State Lib., Executive Communications; *Letters of Richard Henry Lee* (ed. Ballagh), I. 396; Henry, *Life of Patrick Henry*, III. 158.

generosity, taking no advantage of our circumstances, but acting as if we were in the plenitude of power and in the greatest security. We are shortly to receive considerable Stores from France that come under Convoy of a fleet of Men of War. The King of Prussia has actually refused to permit the Hessian and Hannau Troops that England had engaged for America to pass thro his Territories. We congratulate you Sir and our country on this great and important event, but we beg leave further to observe that it is in our opinion of infinite consequence that the Army should be quickly and powerfully reenforced. Because, if Britain should meanly permit the trade of France to proceed without interruption, and push her whole force against us this Campaign, it might be attended with very pernicious consequences. But with a strong Army, we shall, under God, be perfectly secure, and it will probably compel G. B. to a speedy recognition of our Independence, and thus secure the peace of Europe, with the peace, happiness, and glory of America.²

We have the honor to be, with much esteem, Sir your Excellencies most obedient and very humble servants

RICHARD HENRY LEE

P. S.

It is very prudently wished by our Commissioners that those of the French nation in our States may be treated with kindness and cordiality.

FRANCIS LIGHTFOOT LEE

JOHN BANISTER

THOMAS ADAMS³

251. WILLIAM ELLERY TO THE GOVERNOR OF RHODE' ISLAND
(NICHOLAS COOKE).¹

YORK TOWN, May 3d 1778.

Sir,

I take this earliest opportunity to inform your Excellency that a Messenger arrived here yesterday P. M. from France, with dispatches containing among other Things a copy of the Treaties of alliance and of

² See also Richard Henry Lee to Jefferson, May 3, 5 (*Letters*, I. 394, 395), to Washington May 6 (*ibid.*, I. 398), and J. B. Smith to the Pennsylvania Council May 3 (*Pa. Arch.*, first ser., VI. 466). James Lovell wrote to the Massachusetts Council May 3: "After being almost a compleat year without a packet from our Commissioners in France, we had yesterday the pleasure of receiving a most important one, extracts of which I do myself the honor of enclosing to your discretion. . . . P. S. 4th May. . . . The treaties are ratified in whole" (*Mass. Arch.*, CXCIX. 141; *Library of Congress, Force Trans.*, *Mass. Recs.*, *Letters*, 1778, p. 141). Cf. nos. 248, 249, *ante*, and nos. 251, 252, 255, 257, 259, 261, 265, *post*.

³ The following direction and memorandum, written by Governor Henry at the foot of the letter, show that he sent the original to the printer for publication in a hand-bill:

"P. S. The postscript not to be printed

"P. H.

"N. B. A pen was drawn across the postscript that the printer might not publish in his hand Bill which was deemed improper.

"P. HENRY".

[251]¹ *Hist. Mag.*, XVIII. 49; *Staples, R. I. in Cont. Cong.*, p. 170.

amity and Commerce entered into between the Court of France and our Commissioners; which will without doubt be ratified by Congress.²

Mr. Collins will set off in a day or two. He will take with him One hundred and fifty thousand Dollars, and a Warrant on our Loan office for the same sum. I am afraid you will be disappointed; but this was not obtained without difficulty. Unless Comm'rs should be appointed to settle our accounts before you make another demand, and they are adjusted; or you should send your auditor with the vouchers for every article, and direct him to tarry until the accounts shall be liquidated, I am afraid any application would be fruitless.³ Permit me to desire that two of the Delegates, if they should not have come on before this reaches you, may be sent forward immediately; for my health, and the situation of my family oblige me to quit York Town.

252. SAMUEL CHASE TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

YORKTOWN Sunday Morning
May 3d 1778

My Dear Sir

On yesterday afternoon arrived here from France, Mr. Simeon² Deane (Brother to the Commissioner,) with Dispatches to Congress from our Commissioners to the 28. February.³

I do most cordially and sincerely congratulate you on this most important Intelligence America has now taken her rank among the Nations and has it in her power to secure her Liberty and Independence. let us be grateful to our God for this singular unmerited mark of his favour and protection and continue to exert every means in our power to support the war. this can only be effectually done by speedy and liberal loans of money to the Continent and a respectable Army. Congress some time past recommended that subscriptions should be opened in each County.⁴

253. GOUVERNEUR MORRIS TO JOHN JAY.¹

YORK TOWN. 3rd May 1778

Dear Jay

I shall plague you with very few words. I congratulate you on our alliance with France.² For particulars I refer you to our friend Robert.³

² Cf. nos. 248, note 3, 250, note 2, *ante*, 257, *post*. Ellery proceeds to summarize the treaties and the foreign news.

³ See the *Journals*, May 1, 2.

[252]¹ *Arch. of Md.*, XXI. 64 (from a copy, presumably taken from the *Royal Gazette*); *Royal Gazette*, May 23, 1778.

² The text has "Simeca".

³ Chase here summarizes the treaties. Cf. John Henry to Governor Johnson May 5 (dated "Apl. 5th"), *Arch. of Md.*, XXI. 9; also nos. 248, note 3, 250, 251, *ante*.

⁴ See the *Journals*, Dec. 3, 1777. Cf. no. 269, *post*.

[253]¹ Harvard Univ. Lib., Sparks MSS., no. 49, vol. III., p. 20.

² See nos. 248, 249, 252, *ante*.

³ Robert R. Livingston. An extract of a letter from Morris to Livingston May 3 concerning the treaties is in N. Y. Pub. Lib., Bancroft Coll., Livingston Papers, II. 125.

I enclose you a Newspaper containing a report I drew up on North's bills, which were sent us by the Genl: I have marked in the margin two clauses inserted by the house. You may find perhaps some difficulty to discover how they shew the wickedness or insincerity of the Enemy. The following clause (the reason of which you will see) was struck out "Your Committee etc. that in the present conjuncture of affairs, when the unalienable rights of human nature may probably become the subject of negotiation, the wisdom of America, should be as far as possible collected, and therefore that the States be called upon to send a full and adequate representation to Congress upon the present *Special Occasion*".

Sundry smaller alterations were made, as is the case in Matrimony, for better, for worse.⁴ We have recommended an act of grace with exceptions.⁵ How to make these exceptions will be a nice card, if Gentlemen have *particular* friends in the legislature. A word to the wise—I do not chuse to be explicit, but I shall set some sums to our numerical correspondent when I have time etc. Love to Sally. Adieu

GOUV MORRIS

254. ROBERT MORRIS TO WILLIAM BINGHAM.¹

MANHEIM IN PENNSYLVANIA May 5th 1778

. . . . I am happy to tell you that Congress have granted an order for your drawing on the Commissioners at Paris for 100,000 Livres. I have often urged the necessity of your being reimbursed, but not attending Congress for some months past I could not do therein all I wished to do.²

I must before long return to my Duty in Congress again, altho' I have not half finished the business that caused me to retire.³

255. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 5 May 1778.

Dear Sir,

In a public Letter which I had the honor of writing to Your Excellency the 3d Inst. by Major Brice, I sent a number of hand Bills calculated for giving satisfactory information to the Public who were anxious to learn the

⁴ See the *Journals*, Apr. 22. The committee, of which Morris was chairman, was appointed Apr. 20, on Washington's letter of Apr 18. A report on that part of the letter which pertained to the cartel was made Apr. 21. The original of the report on Lord North's measures has not been found among the Papers of the Continental Congress, therefore it cannot be determined just what changes were made by the house. Cf. nos. 213, 215, 221, 227, 245, *ante*.

⁵ The reference is to the resolve of Apr. 23 relative to pardons.

[254]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia.

² See the *Journals*, Apr. 16.

³ See nos. 74, 109, 128, 133, 194, *ante*, 267, 348, 508, *post*.

[255]¹ Library of Congress, Letters to Washington, XXIII. 90; S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. 93; *Letters to Washington* (ed. Sparks), II. 117; Wharton, *Rev. Dipl. Corr.*, II. 570.

recent intelligence from France.² One article of this has been questioned, respecting the King of Prussia's promise—the only part of the performance that can be called mine.³ I believe my authority is good. Mr. Izard under the 16th Feby informs me, "the King of Prussia has given the most explicit and unequivocal assurance that he will be the second power in Europe to acknowledge the Independence of America".⁴ tis true our Commissioners in their public advices are not so express nor are they in my opinion so full and clear in some other respects, as they might have been. . . .

Last Night I had the honor of receiving Your Excellency's favor of the last of April and am happy in finding a confirmation of my sentiments, respecting persons proper for treating with the expected deputation from our Adversary. I fear the determination, where only this point can be determined, will be contrary. Be it so, thank God we have here some Men of abilities and Integrity. I hope we shall make a judicious choice.⁵

The Act of Congress of the 22d April will blot out Pages of the British Instructions. the Commissioners from that side will perceive a necessity for taking a new departure from the Tower of Independence and what happened in France on the 6th of Feby will oblige them to shape a new course. . . .

The long and as I humbly think, unnecessary, delay of the Army arrangement is very afflicting.⁶ I know it must give extreme pain to Your Excellency. It is improper for me to touch upon the Causes, especially when it is so well known that Congress have been engaged in very much important business. the Plan introduced for that part of it which is intended to establish an half pay for Officers during Life, I have been

² See no. 249, *ante*.

³ This is no doubt the something "false" to which Wolcott alludes in his letter of May 9 (no. 261, *post*). Cf. no. 257, *post*.

⁴ Izard's letter to Laurens Feb. 16 is in Wharton, *Rev. Dipl. Corr.*, II. 497. His statement was no doubt made from knowledge of two letters to Arthur Lee from Baron Schulenberg, Prussian secretary. In a letter of Dec. 18, 1777, Schulenberg says: "I can assure you, sir, that his majesty will not be the last power to acknowledge your independency; but you must feel yourself that it is not natural that he should be the first, and that France, whose commercial and political interests are more immediately connected with yours, should set the example" (*ibid.*, p. 456). In a letter of Jan. 16, 1778, he makes a more definite committal: "The king . . . will not hesitate to acknowledge your independence whenever France, which is more interested in the event of this contest, shall set the example" (*ibid.*, p. 472). An extract of the first letter was transmitted by Lee to the committee of foreign affairs Jan. 5 (*ibid.*, p. 465), and the whole of the second was embodied in a letter to the committee Feb. 10 (*ibid.*, p. 491); but Lee's letters and their enclosures had not yet, apparently, been received by Congress, hence the inclination of Congress to question the correctness of Izard's statement. (Cf. no. 274, *post*.) By Mar. 19 Arthur Lee had become "Apprehensive that the war, which is likely to break out in Germany, will prevent the King of Prussia from declaring so soon, and so decidedly, as he promised" (Wharton, II. 516); and by May 21 John Adams was writing to Samuel Adams, "The King of Prussia is yet upon the reserve concerning America, or rather forgetting his promise, has determined not to acknowledge our independence at present" (*ibid.*, p. 591). See, further, William Lee's letter of Sept. 28, 1779 (*ibid.*, III. 346). For a view of the whole subject, see an article by P. L. Haworth, "Frederick the Great and the Revolution", in *Am. Hist. Rev.*, IX. 460.

⁵ Cf. nos. 223, 224, 242, *ante*. Washington's (private) letter to Laurens Apr. 30 is in *Writings* (ed. Ford), VI. 508, (ed. Sparks), V. 350.

⁶ Cf. nos. 222, 242, 247, *ante*, and nos. 266, 267, 282, 287, *post*. Washington's reply to this letter, May 29, is in *Writings* (ed. Ford), VII. 33, (ed. Sparks) V. 383.

uniformly averse from, and in a Committee of Congress delivered my objections. these appear to me at this moment of more weight because they have not been removed by the reasonings which have been offered against them and I may without vanity think myself not obstinate. I am open to conviction and always without murmuring submit to a Majority.

I view the scheme as Altogether unjust and unconstitutional in its nature and full of dangerous consequences. 'tis an unhappy dilemma to which we seem to be reduced— provide for your Officers in terms dictated to you or lose all the valuable Soldiers among them—establish a Pension for Officers make them a seperate Body to be provided for by the honest Yeomanry and others of their Fellow Citizens many thousands of whom have equal claims upon every ground of Loss of Estate health etc. etc. and [or ?] lose your Army and your Cause. that such provision will be against the grain of the People has been unwarily testified by its Advocates whom I have heard converse upon the subject, indeed they have furnished strong ground for opposition against an immediate compliance with the demand.

If we cannot make Justice one of the Pillars, necessity may be submitted to at present, but Republicans will at a proper time withdraw a Grant which shall appear to have been extorted. . . .

I have ever detested and never practiced Parliamentary Jockeyings for procrastinating an unpalatable business, which as a silent auditor and spectator I have within some time past known to be alternately adopted.

I most sincerely wish this of the Army had been wisely attended to. the high Esteem I, from gratitude, bear for Your Excellency whose sufferings from a contrary conduct I know must have been great, as well as my love of dispatch makes me wish it, and I lament that in some degree we are likely to be more indebted to the Policy and deep projects of other Men for our deliverance than to our own Wisdom and fortitude. . . .

256. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO BARON STEUBEN.¹

5th May 1778

My dear Sir,

. . . . Congress have Resolved to appoint you, and you are accordingly appointed Inspector General of the Main Army with the Rank and Pay of Major General, the former to commence the day of your arrival here.²

When the Secretary enables me, by sending in the Act Certified, I will transmit the necessary Commission. . . .

God bless you. I am with an affection which by every Act I endeavor to prove your faithful friend.

[256]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. 91. Addressed to him at Valley Forge, "by Mr. Drayton".

² See the *Journals*, May 5. To a copy of the resolve, transmitted to Washington May 6, Laurens appended the following note: "I think the Pay is to commence from the Baron's arrival in America, some of the Gentlemen are of the same opinion, which shall be enquired into and adjusted if the minute above is erroneous" (Library of Congress, Washington Papers). The resolve reads, "from the time he joined the army and entered into the service of the United States".

257. WILLIAM ELLERY TO WILLIAM VERNON.¹

YORK TOWN 6th May 1778

D'r Sir

The marine Com'ee of wh'ch I am a member last Even'g in conformity to a resolution of Congress, met and determined to send Six Vessils to carry important despatches to France, the said Vessils to be under the directions of the Com'ee of Foreign affairs. As the Letters for your Navy board is not yet written² and Capt. Collins³ is about to set out immediatly, I take this oppty. to request you upon receipt hereof forthwith to send off an express to Bedford to Capt. Rathburn⁴ of the sloop *Providence*, w'ch is one of the Vessils Pitched upon for this business, if he shou'd not have sail'd, directing him not to proceed to Sea untill he shall have recd. Orders from the Com'ee of foreign affairs w'ch will soon be transmitted to him, and he is most implicitly to obey. I most heartily congratulate you on the Treaties of Alliance Amity and Commerce w'ch were executed the 6th day of Febry. last at Paris, and unanimously ratified by Congress the 4th Inst't. I have only time to say that those Treaties are magnanimous and founded in our Independency, equality and reciprocity. Inclosed is a hand bill published imprudently and without the knowledge of Congress, but wh'ch contains some truths.⁵

a respectable Army in the Field this Campaign and the War will be our own

Yours in haste

W - E -

P S dont let the occation of the sloop *Provid[enc]e* being detained be known to any one, no not even to the Capt. of her himself. you will let the Navy board in Boston know that you have stopped the Sloop *Provid[enc]e* otherwise upon the receipt of the Letter of the Commi'ee mr. Warren may send off an express to Bedford.⁶

258. HENRY LAURENS TO THE GOVERNOR OF NEW JERSEY
(WILLIAM LIVINGSTON).¹

6th May [1778.]

Dear Sir,

. . . . Congress have Ratified the Treaty or Treaties and a Committee have prepared some what for public information by authority in which many, probably all, of the articles relative to Commerce and for regulating Marine conduct will be included.²

[257]¹ R. I. Hist. Soc., *Publications*, vol. VIII., no. 4, p. 45.

² The letter to the navy board bears, however, the date May 5 (Paullin, *Out-Letters*, I. 234). See no. 207, note 3, *post*. The instruction with regard to the *Providence* was repeated in a letter of May 9 (*ibid.*, p. 240). Cf. the letter of June 19 (*ibid.*, p. 260).

³ John Collins. See nos. 219, 251, *ante*.

⁴ John Peck Rathburne.

⁵ See no. 255, *ante*, and no. 261, *post*.

⁶ See a letter from William Storey, clerk of the navy board at Boston, to Vernon Apr. 29, R. I. Hist. Soc., *Publications*, vol. VIII., no. 4, p. 44.

[258]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 99.

² See nos. 259, 260, *post*.

I think my Self happy in being entirely of opinion with your Excellence respecting Independence and the half pay scheme this last business lags exceedingly I believe we wait for auxiliaries. I have no objections against liberal acknowledgements of the Services of Officers and Soldiers, any thing that will not strike at our Constitution, but if we can't make Justice one of the Pillars necessity will prove a temporary support. we may submit to it at present. Republicans will at a proper time withdraw a Grant which shall appear to have been extorted. this and the natural consequences, I dread.³

259. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
GOVERNOR OF MARYLAND (THOMAS JOHNSON, JR.).¹

YORK TOWN 8 May 1778.

Sir,

My last was the 5th Inst. by Post. this will be accompanied by an Act of Congress of the 6th Inst. contained in a *Pennsylvania Gazette*, for making known to the Public such parts of the Treaty of Paris of the 6th Febr'y. as Congress have judged necessary to be published and for government of conduct in particular Cases. several Copies are inclosed in the Packet.²

The Ratification of the Treaties of Commerce, Alliance and Secret shall be transmitted when the Secretary enables me by sending in Certified Copies. at present every Clerk in the Office is busily employed and some articles unavoidably delayed.³

³ Cf. nos. 206, 211, 222, 242, 247, 255, *ante*, 282, 287, *post*.

[259]¹ Md. Hist. Soc., Red Book, VII. 133; Library of Congress, President's Letter-Book, I. 307.

² Similar paragraphs are found in letters to the other states, although in other respects the letters are not identical. Cf. *Pa. Arch.*, first ser., VI. 485; *N. C. State Recs.*, XIII. 125. Copies from the originals to Pennsylvania and New Hampshire are in possession of the Carnegie Institution. That to Massachusetts is in *Mass. Arch.*, CXCIX. 149. The committee (Richard Henry Lee, Dana, and Drayton) appointed May 4 to prepare the form of ratification of the French treaties was further instructed, May 5, to prepare "a proper publication on the present occasion". The committee brought in a draft May 6, but this was recommitted, and Gouverneur Morris was added to the committee. In the afternoon of the same day the committee brought in another draft, which is recorded as having been agreed to. What appears in the *Journals* consists of one paragraph from the pen of Francis Dana and some further paragraphs based on notes of Gouverneur Morris (see the editorial note, *Journals*, XI. 468). This committee is to be distinguished from that which prepared the address to the people. See no. 262, *post*.

Rev. George Neisser, a Moravian minister of York, recorded in his Diary under May 5 the news of the French alliance and added: "A supplement of Hall and Sellers *Gazette* of last Saturday appeared yesterday. It gave an account of the important news from France and also the principal articles of the alliance." Under May 6 he recorded: "In the evening the entire town, now the capital of the United States, showed its joy at the alliance made with Louis XVI. of France by illuminations" (*Pa. Mag. of Hist. and Biog.*, XVI. 435).

³ A similar statement is found in the letter to North Carolina. In the letter to Pennsylvania Laurens says: "On Tuesday I shall have the honor of transmitting an Address to the people now in press." See nos. 261, 262, *post*.

260. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO JAMES MEASE.¹

8th May 1778

Sir

I presented this Morning your favor of yesterday received by the hand of the bearer of this Mr. Thos. Smith² to Congress together with the several papers which came inclosed.

Congress Issued their former Resolution prohibiting the payment of Mr. Demere's draughts, because it did not appear that he had accounted either to your self or to the Treasury for Thirty Thousand or some such number of Dollars advanced him for the service of the Clothier General's department, at Philadelphia last summer. upon the same ground the Bills in Mr. Smith's possession are now refused that reception which they would have met if he had transmitted his Accounts—if he has expended the Sum for public Service the difficulty of transmitting an Account could not have been great and the omission of so necessary a part of his duty exposes him to all the inconveniencies which may follow.

One of the Delegates from Georgia intimated to the House that it was not necessary for Mr. Demeré to expend even the Amount of the first grant because the Georgia Troops had been provided with Clothing by other means. be this as it may, I am persuaded Sir, you will approve the Conduct of Congress in refusing to pay the draughts of a Gentleman who has rendered no Account.³

A Sum of about 54 Thousand Dollars was granted two or three days ago for discharging Bills drawn by Messrs. Otis and Andrews and if [I] do not misunderstand Congress it is the intention to discharge the Balance of their demand whenever a regular stated account shall appear.⁴

261. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN, 9th May, 1778

My Dear,

I wrote to you the 4th instant a few Hours after I had sent away my Letters Mr. Simeon Dean arrived here, who bro't Congress Two Treatys the one commercial the other Defensive which our Commissioners had

[260]¹ Library of Congress, President's Letter-Book, I. 301. Addressed to him at Lancaster.

² Thomas Smith was commissioner of the continental loan office of Pennsylvania.

³ Raymond Demeré was deputy clothier-general in Georgia. Aug 29, 1777, Congress advanced to James Mease \$20,000, to be remitted to Georgia for clothing continental troops. Dec. 26 some drafts of Demeré's were referred to the board of treasury. No report from the treasury board touching the matter has been found earlier than Apr. 6; there is, however, in the *Journals*, Feb. 13, an extensive report of the committee (appointed Jan. 15) on the state of Georgia (see particularly the erased entry, p. 162). Apr. 6 Congress ordered Commissary Mease to pay no drafts of his agent in Georgia or remit him any money until further orders. Mease's letter of May 7, (*Papers Cont. Cong.*, no. 78, vol. XV., f. 329), to which Laurens is replying, enclosed a letter from Demeré to him, Mar. 20 (*ibid.*, f. 323), advising him of sundry drafts. These drafts Mease had, in accordance with the resolve of Apr. 6, refused to pay. See, further, the *Journals*, May 8, Aug. 10, 20, 27, 29, 31.

⁴ See the *Journals*, May 5. Cf. no. 270, *post*.

[261]¹ Conn. Hist. Soc., Oliver Wolcott Papers, vol. II., no. 55.

entered into with the Court of France, which Treatys have been much approved of and are Ratified by Congress. They are founded upon the broad Basis of Mutual Interest and Security, and Nothing in them which indicates any Design of obtaining any Advantage over us, But seem adapted to secure a lasting Friendship which it is certainly the highest Interest of France to Cultivate. I enclose to you a Hand bill published here prematurely and not by any order of Congress, and which contains something in it *false* but which as it is published here and abroad you may as well conjecture what is true and what false as others, and shall leave it to your Ingenuity to make the Discovery.² Congress have not tho't proper to say more at present upon these Treatys than what is contained in a Paper now in the Press and which I hope I shall be able to enclose to you.³

I expect that Mr. Adams⁴ will soon releive me, and when he does so I shall Return. . . .

262. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
PRESIDENT OF NEW HAMPSHIRE (MESHECH WEARE).¹

YORK TOWN 11th May 1778.

Sir,

By the common Post this Morning I directed a Packet to Your Honor which contained 10 Copies of an Address by Congress to the Inhabitants of the United States of America and 2 or 3 Copies of a Proclamation forbidding Malpractices of Captains Commanders and other Officers and Seamen belonging to American Armed Vessels both dated 9th Inst.²

Within the present Inclosure will be found ten more Copies of the former and 3 of the latter Act.

² Concerning the way in which this handbill was put forth, see nos. 249, 255, 257, *ante*. The something "false" was probably the statement concerning the promise of the King of Prussia, the accuracy of which Laurens says had been questioned.

³ See no. 259, *ante*, and no. 262, *post*.

⁴ Andrew Adams took his seat in Congress July 9.

[262]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Library of Congress, President's Letter-Book, I. 315.

² The proclamation concerning privateers is in the *Journals*, May 9. The address to the people is in the *Journals* under May 8, though the broadside distributed bore the date May 9, as indicated in this and other letters of President Laurens. See Evans, *Am. Bibl.*, V. 413 (nos. 16097-16104). Cf. the Bibliographical Notes, in the *Journals*, XII. 1284, where it is further mentioned that the address was prepared by Gouverneur Morris. The committee to prepare the address (Richard Henry Lee, Samuel Chase, and Gouverneur Morris) was appointed in the afternoon of May 6, after the second draft of the "proper publication" had been reported and accepted (see no. 259, *ante*), the principal part of which also appears to have been written by Morris.

In the Diary of Rev. George Neisser (see no. 259, note 2, *ante*), under May 20 is this record: "Henry Miller translated into German the "Address of Congress to the States of America", in order that it might be read to the various congregations, as ordered by Congress." Under May 24 he records: "At the close of the morning service, I read the German translation of the Address of Congress" (*Pa. Mag. of Hist. and Biog.*, XVI. 436). No copy of this German translation is known to exist. For a biographical account of Miller see Charles F. Dapp, *The Evolution of an American Patriot: John Henry Miller* (Lancaster, 1924; Pennsylvania-German Soc., *Proceedings*, vol. XXXII.). See also the *Journals*, Sept. 9, 1778.

Your Honor is requested to make known the contents of these Papers to the good People in the State of New Hampshire.³

14th. I add P S. to the *Pennsylvania Gazette* containing Interesting Intelligence.⁴

263. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO BARON STEUBEN.¹

YORK TOWN 11th May 1778.

Sir,

. . . . I have a Letter from Capt. Duponceau of the 7th on his Commission which tis impossible for me to answer at this Instant.² I think he has all that was asked, the Rank and pay of Captain,³ and I am persuaded that a further application at this juncture would be attended with no success, but this being only my private opinion I would not mean to pass it upon him as a Rule. if he is disposed to make an application to Congress I shall faithfully present a proper Memorial. Your patronage in that case will certainly have weight, but I do not venture to encourage it.⁴

264. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
PIERRE ÉTIENNE DUPONCEAU.¹

11th May 1778.

Sir,

I am sorry to learn by your favor of the 7th Inst. that circumstances have occurred which have disturbed your accustomed tranquility.²

The Brevet which you have, is to the best of my knowledge exactly such an one as Baron Stüben applied for. I am sure it is such as I was

³ Letters of similar purport, though varying somewhat in form and substance, as also in the numbers of copies of the address and proclamation transmitted, were sent to each of the states (President's Letter-Book, I. 308-317). See, for instance, *Pa. Arch.* first ser., VI. 488, *Clinton Papers*, III. 303, and *N. C. State Recs.*, XIII. 125. Annexed to the letter-book copy of the letter to North Carolina (Letter-Book, I. 313) is a list of those persons in New England and New York to whom such letters were addressed, which includes, besides the respective heads of the states, "General Schuyler, Gen. McDougall, James Duane Esqr., Henry Marchant Esqr., Major Gen. Heath, General Folsom, Thos. Frost Esqr Durham". The last name is doubtless an error for George Frost, delegate from New Hampshire, who was absent, as was also Nathaniel Folsom. With the list is this note: "Under blank Covers by the Eastern Post 11 May 1778—sent to each of the Governors and Presidents 10 'Addresses to the Inhabitants by Congress' to the other Gentlemen 6 each and 2 Proclamations to each Govr. and President."

⁴ A similar postscript was added to most of the letters for the eastern states. The "Interesting Intelligence" was that contained in the Philadelphia paper of May 9 which Washington transmitted to Laurens May 12. See Laurens's reply, May 15 (no. 278, note 6, *post*); also the Bibliographical Notes, *Journals*, XII. 1285. Cf. no. 287, *post*.

[263]¹ N. Y. Hist. Soc., Steuben Papers, I.; Harvard Univ. Lib., Sparks MSS., XV. 70.

² Laurens did, however, reply to Duponceau the same day (no. 264, *post*).

³ See the *Journals*, Feb. 18.

⁴ Cf. no. 303, *post*.

[264]¹ Library of Congress, President's Letter-Book, I. 311. The letter is addressed to Captain Duponceau at Valley Forge, "by Colo. Gimad".

² This letter of Duponceau does not appear to be among the Papers of the Continental Congress.

ordered to grant,³ and you widely mistake, if you believe the disposal of Commissions rests with me. The Resolves of Congress are my Orders—from these I never swerve, be my own inclinations as they may.

Your Brevet intitles you to Rank and pay of Captain, neither one nor the other are depreciated by such assistance as you may give to General Stüben.

Command was not asked for, if it had been, your experience of our Army has shewn you, it could not have been granted.

Major Des Epinier's Commission has been more than once retorted, the importunity of some Gentlemen and their friends at particular times, when Congress were not at leisure for minute enquiries, may have led the House unwarily into error, this perhaps may be produced as an Instance, 'tis impossible to escape without adhering strictly to Rules from which Congress indulgently to their friends from France have sometimes deviated—but when Monsr. Des Epiniers shews his Commission and talks of his advantages every circumstance relative to his obtaining that Commission should be disclosed.⁴

'tis impracticable for me Sir, to be more minute, my Duty to the public will not afford time. I shall only observe further, on two parts of your Letter.

You say, "I certainly mistook the Baron when he applied for a Commission for you" and you tell me what his "meaning" was—the interpretation of the Barons meaning was his expression and I am persuaded you will be tender in an attempt to prove he did not mean what he said.

But Sir, as an individual, what is all this to me? As President of Congress I repeat, I act faithfully to the orders of Congress. I have no will of my own.

I have heard no complaint from Baron Stüben that his "meaning" had been mistaken or perverted and I believe there is no ground for complaint.⁵

"You will freely subscribe to my Decision." I decide then with your permission, that you cultivate the acquaintance you have made among strangers into friendships, and remain tranquil in your present sphere until you can fairly and advantageously enlarge it⁶—this is advice I would give to my son, whether you adopt it or otherwise, you will do me but justice to believe, it is well intended, and that I wish to be Sir

your most obedient humble Servt.

³ See the *Journals*, Feb. 18, and no. 263, *ante*; also the *Journals*, Apr. 3, 16, 1779.

⁴ See the *Journals*, Feb. 2; *cf. ibid.*, Aug. 21, Nov. 7, 14, 1777, Dec. 4, 1778, June 22, Sept. 24, 1779.

⁵ *Cf.* no. 256, *ante*, and no. 303, *post*.

⁶ In Henkels, *Catalogue*, no. 1011, item 608, is an extract of a letter from Laurens to Duponceau, Apr. 4, 1778, which may appropriately be quoted here: "Your sentiments Sir, respecting the contest in which we poor Americans are engaged are truly liberal, they are noble. If I were not perfectly assured of their consistency with the eternal Laws of truth and justice, I would abandon the Cause and persuade you to follow the example before I subscribed to this letter—that conscious as I am of the righteousness of our Claims, it is with pleasure I hear your determination to persevere in the line of Duty which was the object of your free choice." Despite the date given to this letter, it seems quite probable that it is in response to a communication from Duponceau of a date subsequent to May 11.

Duponceau presently adopted the Anglicized form of his name (Peter Stephen), and at the close of the war settled in Philadelphia. Some account of him is in Wharton, *Rev. Dipl. Corr.*, I. 415; a briefer sketch is in Appleton, *Cyclo. Am. Biog.*

265. HENRY LAURENS TO JOHN LAURENS.¹

11th May 1778

My dear Son,

. . . . I am not ignorant of the Conduct you complain of respecting your General, in the recent instance I have suffered not a little Chagrin.² I think I did not much err in my opinion delivered in Congress that General Washington should be made acquainted with all the Treaties even the Secret Articles; these might have been intrusted to a Commander in Chief of all the Forces of the United States of America, to a friend, a virtuous patriotic Citizen with equal propriety and safety as they have to the Member who lay snoring fuddled on one of the Benches while those papers were reading. the conveyance to and from Camp would not have been attended with more risque than the Journies and Voyage between Paris and York but the Treaties could not be spared they were to be immediately Ratified and transmitted for Exchange. admitted, but in the mean time appoint a Committee or direct your President to write a Letter of congratulation and transmit an Abstract of the Articles intimating that the whole shall be sent for his information at a proper time. *Extract*, from Letters written by the Commissioners at Paris such parts as will shew the complexion of affairs in Europe. Some what like this in my opinion ought to have been done, and why it was not? is not to be answered by me, except that I am persuaded the omission was not the effect of design in a majority who love and Esteem that valuable Man. . . .

The foreign Letters are always in possession of a Committee of foreign Correspondence, and for some time heretofore have not as I have reason to believe always made proper public appearance. this is unpleasant ground to walk on, I must retire from it. much former history should be recited, the State of parties introduced and other circumstances extremely disagreeable to me, in order to give you a tolerable understanding of matters alluded to.

[265]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. 104. Addressed to him at Valley Forge, "by Colo. Gimad".

² Laurens is replying in particular to a passage in a letter from John Laurens of May 7 (*Army Correspondence*, p. 168). Having given an account of the celebration by the army of the alliance between France and the United States (see no. 248, note 3, *ante*; also Washington's *Writings*, ed. Sparks, V. 355 n., where, among other things, is found the plan of celebration as set forth in the orderly book, May 6), John Laurens continues: "The General received such proofs of the love and attachment of his officers as must have given him the most exquisite feelings." Then, prompted no doubt by the failure of Congress to communicate to Washington the secret articles of the treaty of alliance, he adds: "But amid all this inundation of joy, there is a conduct observed towards him by certain great men which, as it is humiliating, must abate his happiness. . . . I think, then, the Commander in Chief of this army is not sufficiently informed of all that is known by Congress of European affairs. Is it not a galling circumstance, for him to collect the most important intelligence piece-meal, and as they choose to give it, from gentlemen who come from York? Apart the chagrin which he must necessarily feel at such an appearance of slight, it should be considered that in order to settle his plan of operations for the ensuing campaign, he should take into view the present state of European affairs, and Congress should not leave him in the dark.

If ever there was a man in the world whose moderation and patriotism fitted him for the command of a republican army, he is, and he merits an unrestrained confidence."

I hope we shall recollect and still though late Act with becomingness towards your friend. his good sense and moderation will lead him to make a true judgement of Causes. If he were disposed to complain he could be at no loss for subjects of a much older date than the one before us.

With respect to Monsr. Lanuville I shall have no peace till he is disposed of. he asks for a yes or no but poor Gentleman, he has discovered a mortal aversion to the latter. Congress are not disposed to gratify his demand immediately and I have intimated as much to him and recommended his attending Genl. Gates in a state of probation pointing to the example of the Inspector General what will be his resolve I cannot tell but if I judge rightly he will not immediately succeed in his expectations, or rather demands.³

266. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

11th May 1778.

Sir,

. . . . Monsr. Lanuville is so well recommended from all quarters and so warmly recommends himself as to Insure him every thing that Congress can with propriety Resolve in his favor not withstanding all this, if I can judge from appearances, that Gentleman will not obtain the Rank he aspires to, until he has given some actual proof of his abilities as a Military genius. his papers are in the hands of Gentlemen who seem heartily disposed to serve him. the issues will be known in a few days.²

I have not had a proper opportunity for introducing into Congress the business of Chevalier defayolls, but in private chat with a Gentleman most versant in foreign applications, I learn, the Chevalier had some time ago adjusted his demands and received Money for conducting him to France, hence I conclude Congress will readily recommend him to a passage in the *Warren* or any other Ship of War bound to France in the Service of the States.³

³ See the letter of John Laurens referred to above; also the *Journals*, May 5, 13, 14, July 28, 29, Oct. 14. Cf. nos. 32, 58, *ante*, and nos. 266, 284, 285, 443, 445, 477, *post*. Concerning the confusion of the two Laneuilles in the index to the *Journals*, see no. 32, note 2, *ante*. Each of them is mentioned in the *Journals* of May 13, but in the record at p. 492 "*Noirmont de*" has been erroneously bracketed into the text.

[266]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. 108.

² See no. 265, note 3, *ante*.

³ Sept. 14, 1777, Congress made grants of money to Baron de Kalb and certain of those Frenchmen who accompanied him, and to some of them additional sums "to defray the expences of their coming from France and returning thither". Of the latter number was the Chevalier de Fayolles, to whom was granted the sums of 480 dollars and 300 dollars, respectively. See vol. II. of these *Letters*, no. 632, note 2; also Wharton, *Rev. Dipl. Corr.*, II. 219, 220. In a letter of May 5 (*S. C. Hist. and Geneal. Mag.*, VIII. 126), to which Laurens is replying, Lafayette wrote: "the Chevalier de fayolles who came with me from france, whose services were not accepted, was prevented by his health to return home as soon as he had wish'd—he writes me to know if he Could be employed in the Same rank wich he has the commission in france Lt. Colonel; if not, as he runs the disagreeable risk of being taken in his return he should take as very particular favor to obtain some protection for being received in the continental frigate *La varrena* [the *Warren*] now in Boston." See no. 361, *post*.

P. S. . . . Congress determined this Morning to proceed on the arrangement of the Army. the Members are exceedingly anxious to finish that business.⁴ . . .

267. GOUVERNEUR MORRIS TO ROBERT MORRIS.¹

Monday Evening [May 11, 1778.]²

Dear Duer

Livingston is so ill he can't attend Congress. Monsr. La Neuville is kept in dilatory attendance.³ The half Pay cannot be postponed (for now we are the Postponers) beyond To Morrow Morning. Tell Morris his Portuguese Affair is settled much against the wishes of his Eastern Friends.⁴ I could not get the Papers till last Night and this Morning I did the needful whereupon the delay was not chargeable on his and your

Friend
GOUVR. MORRIS.

The above is a Copy of a Letter written two Hours ago delivered to Duer who unfortunately arrived in Town without you very contrary to my Expectations. James Smith assures him that his *worthy* Colleague Jonathan B Smith hath absolutely declared off upon the Half Pay Business. Clingan is of the true Eastern Stamp and Clay. I need say no more when you know that Massachusetts is against us except that Hall is daily expected from Georgia and some of the *Un* true Blues from New Hampshire. Think one Moment and come here the next. My respectful remembrances wait on Mrs Morris. I send somewhat for your Evenings Amusement

Adieu

Yours sincerely

GOUVR. MORRIS

[P. S. by Duer.]

The Question for referring the half pay Establis't to the States cannot be deferr'd longer than to Morrow. Pensilvania being at present against us it will be carried to refer it to the States, w'h will defeat the Measure.

⁴ The plan for regulating the army was taken up May 18. There is no mention of the subject in the *Journals* May 11. See no. 235, *post*.

[267]¹ Library of Congress, Morris Papers; Henkels, *Catalogue*, no. 1183, item 192 (extracts).

² The letter bears an endorsement in Robert Morris's writing: "Monday Evening Feby 11th 1778 Gouver. Morris"; but if the endorsement was written at the time the letter was received, which is doubtful, the date given is a slip of the pen. Feb. 11 fell on Wednesday and is otherwise out of accord with the internal evidence, while May 11 appears to accord with all the facts (the affair of the Portuguese vessel, the arrival of Duer, the half-pay establishment, etc.).

³ See no. 265, *ante*.

⁴ See no. 136, *ante*, and the *Journals*, May 6, 11. In accordance with the resolve of May 11 the committee of foreign affairs wrote to the board of war at Boston, May 14, asking for an authentic copy of the proceedings of the court of admiralty in the case (Papers Cont. Cong., no. 79, vol. I., f. 213). For further proceedings concerning the Portuguese vessel (usually called *Our Lady of Mount Carmel and Saint Anthony*), see the *Journals*, June 19, 25, 1778, Jan. 13, 16, 19, 26, Feb. 2, 9, June 19, 26, July 2, 5, 16, 21, 22, Sept. 4, 1779.

When I have mentioned this I am sure I need not add any thing more to induce you to be here by Eleven o'Clock to Morrow.⁵

W. DUER.

[Addressed:]

The honble Robert Morris Esqr. Manheim⁶

268. RICHARD HENRY LEE TO ARTHUR LEE.¹

YORK IN PENNSYLV. 12 May 1778.

My dear Brother

. . . . It is not necessary now to say much about [Deane].² His [recall], which I now rejoice at, will prevent all future [machinations] from him, at least in [Europe], and himself, as well as all others, shall be well attended to here.

Our friend Mr. Adams who [succeeds Deane] is a wise and worthy Whig, who will not [form cabals] for any private or sinister purpose. I advise you to [cultivate] his [friendship]. Congress has now resolved the same for the support of their Commissioners at Madrid, Vienna, Berlin and Tuscany as for those at Paris, and they are authorized to draw bills of exchange on the Commissioner or Commissioners that may be at Paris for the money they want to defray their expences.³ This makes each [independent] and will, for a time at least, render it unnecessary to send particular remittances to those places in the way of Commodities. You may be assured that Congress are ready and willing to send powerful remittances to Europe in the way of commodities, but the attempt now would be only supplying the enemy, whose Cruisers are so numerous on

⁵ See nos. 222, 231, 242, 247, 255, 258, *ante*, 282, 287, *post*. Cf. no. 174, note 2, *ante*.

⁶ Above the address, in the writing of Gouverneur Morris, is the injunction, "Let the Bearer of this Letter pass to and from Manheim—York Town"; below, "Free Gouver. Morris".

[268]¹ Univ. Va. Lib., Lee Papers; Va. Hist. Soc., Lee Trans., III.; *Southern Literary Messenger*, XXIX. 431; *Letters* (ed. Ballagh), I. 403.

² The words in square brackets in this letter are in cipher in the original. In many others of the letters of Richard Henry Lee to his brothers during 1778 and 1779, as also in their letters to him, are found words and passages in cipher, which appear to have remained for the most part undeciphered by others than the recipients of the letters. The key to the cipher is evidently an edition of Entick's *New Spelling Dictionary*, the cipher number merely indicating the page, the column, and the number of the word in the column. As used by the Lees, the page was indicated by an arabic numeral, the column by a small *a* or *b*, and the place of the word in the column by a roman numeral. For instance, the cipher for "Deane" is 115 b XXXVIII, which means: page 115, second column, 38th word. No copy of the edition actually used by the Lees has been found, but by means of a later edition, although with different paging, etc., a decipherment of the letters found in these volumes has been effected which, barring some doubtful words, is believed to be correct. In printed collections of the Lee letters the ciphers have often been omitted (as, for instance, in the *Letters of Richard Henry Lee*, New York, 1911, 1914). In the *Life of Arthur Lee* the "b" is erroneously printed "6". For a brief account of this and other ciphers used by members of Congress, see this editor's note on "Ciphers of the Revolutionary Period", in *Am. Hist. Rev.*, XXII. 329. In a letter of Oct. 4 (*Life of Arthur Lee*, II. 114), which is probably one of the letters to which this is a reply, Arthur Lee uses a few such ciphers, and in a postscript of Nov. 25 mentions that he had previously sent a book "by which we may communicate our thoughts without danger from mischievous curiosity", and was now sending another. See no. 295, *post*.

³ See the *Journals*, May 7.

our Coast and in our Bays, that almost every Vessel is taken. When a war with France and Spain shall take place, the numerous Ships of England will find some other employment than bending their whole force against us. Then it will be in our power to make the remittances we wish to make. Congress has not yet taken up the consideration of appointing another Commissioner, when they do, I think there can be no objection to the Gentleman you recommend or that he should be appointed to Spain.⁴ Gen. Burgoyne has leave to return to England upon parole, but his Army is detained until the Court of London shall notify to Congress their ratification of the Convention of Saratoga. The detention of this Army was founded partly on the reasons you assign, and for other powerful ones which Burgoyne himself furnished us with. In the inclosures which our public letter contains you will see the reasons more at large.⁵ I am very happy to be able to observe to you, that the unalterable attachment of Congress to Independence is clearly evidenced by their resolutions upon Ld. North's insidious bills of pacification some days before they had any notice of the Treaty with France.⁶ I think you may make a good use of this with those who may doubt our firmness. We have now no danger but what may arise from our [funds]. Necessity has made our [paper emission] very large, and may render it indispensable that a solid support sh'd be derived from [specie]. Therefore [loans] from [Europe] are necessary, and the desires of Congress on this head demand great attention.⁷

269. RICHARD HENRY LEE TO JOHN ADAMS.¹

My Dear Sir.

YORK, IN PENNSYLV'A 13th May 1778

Our public letter ² does not leave me much to add, but friendship will not suffer me to let this opportunity to pass, without expressing my wishes

⁴ In the beginning of this letter Richard Henry Lee acknowledges letters from Arthur Lee bearing the dates Oct. 24, Dec. 6, 8, 19; but, while letters of these dates are not found in the *Life of Arthur Lee*, other letters give the requisite clue to this allusion. In a letter of Oct. 4 (*ibid.*, II. 114) he says: "My idea therefore of adapting characters and places is this: Dr. F. to Vienna, as the first, most respectable, and quiet; Mr. Deane to Holland; and the Alderman to Berlin, as the commercial department; Mr. Izard where he is; Mr. Jenings at Madrid, his reserve and circumspection being excellently adapted to that court. I mean Edmund Jenings, whom you know, whose real abilities to serve may be relied on. France remains the centre of political activity, and here therefore I should choose to be employed." Cf. a letter of the same date to Samuel Adams (*ibid.*, p. 111), and others to Richard Henry Lee, Jan. 5, 9, 1778 (*ibid.*, pp. 126, 127). See also Wharton, *Rev. Dipl. Corr.*, I. 499, 525 *et. seq.*

⁵ The reference is probably to the letter of Jan. 21 (Wharton, *Rev. Dipl. Corr.*, II. 474). See no. 20, note 2, *ante*.

⁶ See the *Journals*, Apr. 22, and no. 271, note 2, *post*.

⁷ Cf. no. 269, *post*. In a letter to Jefferson May 11 Lee mentions enclosing a pamphlet which is supposed to be by Franklin and was first published in Holland. "We have translated it here, and . . . it will be published next week in the *Gazette* of this place. The reasons are good and may be well used in these States to support public credit" (*Letters*, I. 401). This was probably the same paper as that printed in the *Pennsylvania Packet*, July 28, with an introduction by the editor, beginning, "The following paper is supposed to have been written by a celebrated American Philosopher, at Paris". Texts of this essay are found in Franklin's *Works* (ed. Sparks), II. 426, and *Writings* (ed. Smyth), VII. i.

[269]¹ *Letters*, I. 405.

² Presumably the letter of May 14 (no. 271, *post*). If the date of Lee's letter is correct, the letter to the commissioners was drafted prior to May 14.

to congratulate you on your safe arrival in France. You will find our affairs at your Court in a much more respectable Train than they have been heretofore, and therefore no doubt more agreeable to you. Finance seems now the only rock on which we have any danger of splitting. How far European loans may help us you can judge, but I fear that the slow operation of Taxes, which indeed are pretty considerably pushed in many States, will not be adequate to the large emissions of paper money which the war compels us to make.³ The number and activity of the British Cruisers on the coast, and in the Bays of the Staple States, render it utterly impossible with any degree of safety, and therefore very unwise, to attempt making remittances to Europe at present. It is in fact furnishing the enemy with what they want extremely, and much to our injury. Surely the Court of France will now give protection to their Commerce to and from America, the clearest policy demands it. . . . Monsr. Beaumarchais by his Agent Monsr. Francis has demanded a prodigious sum from the Continent for the Stores etc. furnished the States. His accounts are referred for settlement to the Commissioner[s] at Paris, and I hope they will scrutinise most carefully into this business, that the public may not pay a large sum wrongfully. We have been repeatedly informed that the greater part of these Stores were gratuitously furnished by the Court of France— How then does it come to pass that a private person a mere Agent of the Ministry, should now demand pay for the whole? ⁴ . . .

270. HENRY LAURENS TO SAMUEL ALLEYNE OTIS.¹

13th May.

Sir

I had the honor of writing to you the 21st Ultimo by Messenger Brown.²

I have remarked in Congress some difficulties which have arisen upon applications for Money on account of the Clothier general said to be intended for discharging the debt contracted by you for the purchase of Clothing on public Account. possibly no obstacle would have been thrown in as a Bar to payment of a Stated account directly from your self, or as I should say from Messrs. Otis and Andrews. It is not necessary to account for causes of the demurs which have happened therefore waving an enquiry give me leave to recommend to you to transmit an account of all your expenditures and engagements opposed by all the sums you have received and drawn for, strike the balance and either draw for such a Balance or desire it may be remitted to you and from the Justice of Congress and their readiness to pay every fair account you will meet no farther disappointment.

If your Vouchers are not too bulky send them, if they are, Note at the foot of your account that if required you will transmit the whole, or produce them for inspection to any person authorized for that purpose by

³ Cf. no. 268, *ante*.

⁴ See nos. 109, 133, 186, 240, *ante*, and nos. 279, 281, 437, *post*.

[270]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. 110. The letter is addressed to "Samuel Otis, Esquire, Boston".

² See no. 297, note 2, *post*.

Congress. It may be proper to give some account of the thin and ordinary Clothing which have been produced in Congress, how the imposition upon you happened and why you have been obliged to submit to it.⁸

My regard for the Honor of Congress and my Esteem for a Gentleman who, as I judge from the tenor of his whole conduct, has acted the part of a faithful Steward to the public, has induced the present interposition. in this light you will be pleased to receive my private sentiments and be assured I am with great respect, Sir your most obedient Servant

271. THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS AT PARIS.¹

YORK TOWN May 14th 1778.

Gentlemen

Our Affairs have now a universally good appearance. Every thing at home and abroad seems verging towards a happy and permanent Period. We are preparing for either War or Peace, for altho' we are fully persuaded that our Enemies are wearied, beaten and in despair, yet we shall not presume too much on that belief, and the rather as it is our fixt determination to admit no terms of Peace but such as are fully in Character with the dignity of Independant States and consistent with the Spirit and intention of our alliances on the Continent of Europe

We believe, and with great Reason too, that the honor and fortitude of America have been rendered suspicious, by the Arts intrigues and specious misrepresentations of our Enemies. Every Proceeding and Policy of our's has been tortured to give some possible colouring to their assertions of a doubtful disposition in America as to her final perseverance in maintaining her Independance; and perhaps, the speeches of several of the Minority in both houses of the English Parliament who seem to persist in the possibility of a reconciliation might contribute towards that Suspicion. We, at this Time feel ourselves exceedingly happy in being able to shew, from the accidental arrangement of Circumstances, such as we could have neither policy to foresee, nor power to alter, that the disposition of America on that head was fixt and final. For a proof of which we desire your attention to the following

The English Ministry appear to have been very industrious in getting their two Conciliatory Bills (even before they had been read once) over to America as soon as possible the reason of which haste we did not then foresee, but the arrival of your despatches since with the treaties have unridelled the Affair. Genl. Howe was equally industrious in Circulating them by his emissaries thro' the Country. Mr. Tryon at N york did the same, and both these Gentlemen sent them under sanction of a flag to

⁸ See the *Journals*, May 5, 21, 22, 25; cf. no. 260, *ante*. James Warren wrote to Samuel Adams May 8: "the Cloathers Otis and Andrews are in great difficulty for want of money and should be supplied, to preserve any kind of Credit to the Continent" (*Warren-Adams Letters*, II. 8).

[271]¹ Harvard Univ. Lib., Lee MSS., IV. 124; ("Duplicate", with autographic signatures, but not in the writing of either Lee or Lovell); *ibid.*, Sparks MSS., XVI. 236; Am. Phil. Soc., Franklin Papers, LIII. 41; Library of Congress, Papers Cont. Cong., no. 79, vol. I., f. 223 (letter-book copy); Wharton, *Rev. Dipl. Corr.*, II. 574.

Genl. Washington, who immediately sent the first he received to Congress. Mr. Tryons Letter which covered them and Genl. Washington's answer thereto you will find in Hall's and Seller's *Gazette* printed at York Town 2d May

Those Bills are truly unworthy the attention of any National Body; but lest the silence of Congress should be misunderstood or furnish the Enemy with new Ground for false insinuation, they were instantly referred to a Committee of Congress, whose judicious and Spirited report was unanimously approved by the house April 22d and published and Circulated thro' the several States with all possible expedition.²

The Dispatches in Charge of Mr. Dean did not arrive till the Second of May, Ten days after the reports were published; and his expedition in bringing the dispatches to Congress, prevented any Intelligence arriving before him. Inclosed are the reports referred to to which we recommend your attention in making them as public as possible in Europe, prefacing them with such an explanatory detail of Circumstances as shall have a tendency to place the Politics of America on the firm Basis of national honor Integrity and fortitude

We admire the true Wisdom and Dignity of the Court of France in, her part of, the Construction and Ratification of those Treaties; they have a powerful and effectual Tendency to dissolve that narrowness of mind which Mankind have been too unhappily bred up in. In those Treaties we see the Politician founded on the Philosopher and harmony of affections made the ground Work of mutual Interest. France by her open Candor has *won* us more Powerfully than any reserved Treaties could possibly *bind* us, and at a happy Juncture of Times and Circumstances laid the seeds of an eternal Friendship

It is from an anxiety of preserving inviolete this cordial union, so happily begun that we desire your attention to the 11th and 12th Articles of the Treaties of Amity and Commerce. The unreserved Confidence of Congress in the good disposition of the Court of France will sufficiently appear by their having unanimously ratified those Treaties and then trusted any alteration or amendment to mutual Negotiation afterwards. We are apprehensive that the general and extensive Tenor of the 12th Article may in future be misunderstood or rendered inconvenient or impracticable, and in the end become detrimental to that friendship we wish ever to exist. To prevent which you will herewith receive instructions and authority for giving up on our Part the whole of the 11th Article, proposing it as a Condition to the Court of France, that they, on their part, give up the whole of the 12th Article, those two being intended as reciprocal ballances to each other.³

² See nos. 202, 207-209, 213-216, 219-221, 223, 225, 227, 230, 268, *ante*; cf. no. 273, *post*. Thomas Cushing wrote to Franklin from Boston May 13, "Congress had received Lord North's Speech and the two Bills for quieting America before Mr Simeon Deane Arrived with the Two Treaties with France, and while entirely Ignorant of them passed a number of Observations respecting said Bills much to their Honor" (Univ. of Pa. Lib., Franklin Papers, vol. II., nos. 25, 26, duplicate). Similar comment from Samuel Cooper, May 13, 14, is found *ibid.*, nos. 27, 28.

³ See the *Journals*, May 5 (pp. 459-462); also Wharton, *Rev. Dipl. Corr.*, I. 344-346, II. 477, 480, 481, 482, 485, 497. Cf. no. 279, *post*. In a letter to Franklin of

It is exceedingly distressing to Congress to hear of Misconduct in any of the Commanders of Armed Vessels under the American flag. Every authentic information you can give on this head will be strictly attended to and every Means taken to punish the offenders and make reparation to the sufferers. The chief consolation we find in this disagreeable business is that the most experienced States have not always been able to restrain the vices and irregularities of Individuals. Congress has Published a Proclamation for the more effectually suppressing and punishing such Practices; ⁴ But we are rather inclined to hope that as the line of Connection and Friendship is now clearly marked, and the Minds of the Seamen relieved thereby from that unexplainable mystery respecting their real Prizes which before embarrassed them, that such irregularities will be less frequent or totally cease, to which end, the Magnificent Generosity of the Court of France to the owners of the Prizes which for "reasons of State" had been given up will happily contribute.

We are, Gentlemen

Your Obt. humble Servts

RICHARD HENRY LEE
JAMES LOVELL.

The Hon'ble Commissioners at Paris.⁵

272. THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM LEE.¹

YORK, May 14, 1778.

Sir:

Your favors of November 24, and December 18, reached us only the 2d of this month, with letters of our other friends at Paris, from whom we had not received a regular packet for eleven months. . . .

The turn of affairs in Europe will make it needless for us to attempt the finesse of recruiting in Germany, which you hint at, and which would have a good effect in case of necessity.² [Arthur] Lee's letters make it

June 20 Lovell says, "By a most unlucky mistake I did not forward the resolve of the 5th of May with the ratifications of the treaties sent in that month", but that he has since sent it by way of Martinique and now sends another copy by way of Boston (Wharton, *Rev. Dipl. Corr.*, II. 626).

⁴ The proclamation is in the *Journals*, May 9. For the origin of this proclamation see Wharton, *Rev. Dipl. Corr.*, II. 429, 433, 495 (letter of Arthur Lee, Nov. 27, and letters of Franklin, Deane, and Lee, Nov. 30, 1777, Feb. 16, 1778). Cf. *ibid.*, pp. 364, 365, 376, 378, 425.

⁵ Concerning the manner and means by which the several despatches of May 14-15 were transmitted, see no. 297, *post*.

[272]¹ Wharton, *Rev. Dipl. Corr.*, II. 578; Library of Congress, Papers Cont. Cong., no. 79, vol. I., f. 209 (letter-book copy).

² In his letter to Secretary Thomson, Nov. 24, 1777 (Wharton, *Rev. Dipl. Corr.*, II. 426), William Lee speaks of British efforts toward obtaining troops in Germany, and then adds: "It would certainly add to their difficulty and embarrass the British ministry if there were only an appearance of beating up for men for the American States in some of the free towns of Germany, where all the world by custom is permitted to recruit and enlist men. Something of this sort might be attempted, sufficient to give a great alarm and create a diversion in your favor at a very little expense, if prudently managed." There is no evidence that Congress at this time even considered the question of hiring German troops. With regard to earlier suggestions of the sort, see these *Letters*, vol. II., no. 588, note 3.

quite probable that your commission will prove successful at Berlin, and there appears the best agreement between the King of Prussia and the Emperor.

The enclosed resolve of Congress, of the 7th instant, will show their intentions with regard to your support, which was not properly attended to when your commission was made out.

Other papers herewith sent will give you a general idea of our situation. You may be assured that independence is firmly adopted by the States, and the unanimity of Congress is truly emblematic of all America. Nova Scotia has long ago expressed its wishes to be adopted by us, and now afresh solicits.³ Canada will be greatly affected by the news of our alliance with its former parent State. In short, sir, everything which could be added to our own determination of being free and independent is insured by this *eclaircissement* of the court of Versailles. . . . The powers which had been given to our commissioners in France, and our great anxiety to keep perfect faith in treaties, induced a caution with regard to the powers given in after appointments which is now become unnecessary. Perfect equality being the basis of our present treaties, without any exclusive privileges to France, there can be no chance of discontent from the conclusion of similar treaties with other powers of Europe; therefore, we shall doubtless soon forward to you more full powers than were sent with your commission.⁴ . . .

We are, with great regard, etc.,

R. H. LEE,
JAMES LOVELL,
ROBERT MORRIS.

P. S.—You are to have a plenipotentiary commission, with instructions not limiting the term of the proposed treaties of amity and commerce.

273. THE COMMITTEE OF FOREIGN AFFAIRS TO RALPH IZARD.¹

YORK, May 14, 1778.

Sir:

. . . . We hope you will be particularly industrious to expose those attempts of our enemies, which are calculated to lead Europe to think we are not thoroughly fixed in our plan of independence. You may observe that we proceeded on the drafts only of two intended bills which had been sent to America by the British ministry. We should not have done this, but from a conviction of insidious intentions founded upon former attempts to hurt our character abroad. We were so well satisfied of the spirit of these States to persevere in a noble cause, that we should have waited for the bills themselves, if we had not been anxiously attentive to the good opinion of Europe and the rest of the world. We were altogether

³ See the *Journals*, May 14, 21. For the previous instance, see *ibid.*, Nov. 21, 1775.

⁴ See the *Journals*, May 16, 28, June 1, 2, 1778; cf. *ibid.*, July 1, 1777. See also nos. 273, 317, *post*.

[273]¹ Wharton, *Rev. Dipl. Corr.*, II. 576; Library of Congress, Papers Cont. Cong., no. 79, vol. I., f. 220 (letter-book copy).

strangers to the happy state of our affairs in France, accident and knavery having suppressed the dispatches of our friends, as our former letters will prove, if any attempt should be made to attribute our late determined conduct to a knowledge of our new alliance. Congress unanimously ratified the treaties on the 4th, and the people have showed their satisfaction wherever the knowledge of the proceeding has reached. The army, also, which is daily increasing in strength, has expressed its joy, and is now prepared either for honorable peace or a continuation of the just war.

We shall endeavor to procure an enlargement of your powers, and shall immediately forward them to you. There can be no danger of any clashing of future treaties with those now made, provided the plain principles of mutual benefit, without any exclusive privileges, are made the basis.² . . .

R. H. LEE,
JAMES LOVELL,
ROBERT MORRIS.

P. S. . . .³

274. THE COMMITTEE OF FOREIGN AFFAIRS TO ARTHUR LEE.¹

In Committee for Foreign Affairs.

YORK TOWN, May 14th 1778.

Sir

Your several Favours of Oct. 6th Novr. 27th, and Decr. 8th were delivered to us on the 2d Instant, the Dispatches by Mr. Deane and those by Capt. Young arriving on the same Day. We had before received your short Letter of the 11th of June, but are yet without that of the 29th of July, in which you had informed us "at large of your Proceedings in Prussia". Its contents would have proved highly agreeable to us in those Months when we were quite uninformed of the Proceedings and Prospects of your Colleagues at Paris. Impressed with a sense of the value of the King of Prussia's "warmest Wishes for our Success", we give Assurances of equal Wishes in Congress for that monarch's Prosperity. We have little Doubt of open Testimonies of his majesty's Friendship in Consequence of the late Decision of the King of France.²

Your Information in Regard to our Connection with the fictitious House of Hortales and Co. is more explicit than any we had before received, but we further expect that all Mystery should be removed: Surely there cannot now be occasion for any, if there ever was for Half of the past.³

² Cf. no. 272, *ante*, and no. 317, *post*.

³ The postscript is the same as in the letter to William Lee, no. 272, *ante*. [274]¹ N. Y. Pub. Lib., Myers Coll., Distinguished Americans, no. 836; Harvard Univ. Lib., Lee MSS., IV. 123; Library of Congress, Papers Cont. Cong., no. 79, vol. I., f. 218 (letter-book copy); *Hist. Mag.*, XIV. 241; Wharton, *Rev. Dipl. Corr.*, II. 577.

² See no. 255, note 4, *ante*. Arthur Lee's letters of Oct. 6, Nov. 27, and Dec. 8 are in Wharton, *Rev. Dipl. Corr.*, II. 401, 429, 445, respectively; that of July 29 is *ibid.*, II. 369; that of June 11 is *ibid.*, II. 335. The expression of the King of Prussia's "warmest wishes for our success" is found in the letter of Oct. 6, but a similar expression appears in a number of the letters from Schulenberg to Lee, and is several times repeated in Lee's letters to Congress.

³ See especially Arthur Lee's letter of Oct. 6, 1777; cf. that of Feb. 15, also the letter of the commissioners Feb. 16, in Wharton, *Rev. Dipl. Corr.*, II. 401, 494, 495. Cf. no. 269, *ante*, and nos. 279, 281, *post*. Concerning Roderique Hortales and Co., otherwise Beaumarchais, see *ibid.*, I. 364-386; also Loménie, *Beaumarchais and his Times*.

Our commercial Transactions will very speedily be put under the Direction of a Board consisting of Persons not Members of Congress, it being impracticable for the same Men to conduct the deliberative and executive Business of the Continent now in its great Increase.⁴ . . .

A few Weeks if not a few Days must produce fruitful Subject for another Letter when we shall in our Line of Duty renew our Assurances of being, with great Regard,

Sir Your affectionate humble Servants

RICHARD HENRY LEE

JAMES LOVELL

ROBT. MORRIS

Honble Arthur Lee Esqr.

275. THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM BINGHAM.¹

Sir, YORK TOWN May 14th 1778

At length, on the 2d Instant we received Dispatches from our Commissioners at Paris. . . .

We do not find, by the letters which we have received, that Congress may venture to enlarge the Power which was given to you by the Resolves of Apr. 16th. But it becomes less necessary that you should be furnished in that Way, as Commerce will, in all human Probability, be more easily carried on between the Continent and your Islands now than for some Time past. . . .

ROBT MORRIS

RICH'D HENRY LEE

JAMES LOVELL

In Committee for foreign Affairs

276. THE BOARD OF WAR TO WILLIAM AUGUSTUS ATLEE.¹

Sir WAR-OFFICE May 14. 1778.

Your letter of the 11th instant directed to the President of Congress has been sent by him to the Board (the application to Congress being improper) who are of opinion that the prisoners now confined at Lancaster, should be sent to Fort Frederick.² . . .

277. WILLIAM ELLERY TO ———.¹

Sir YORK TOWN May 14th, 1778.

This will be accompanied by half a dozen Postscripts to the last *Pennsylvania Gazette*² which please to distribute in manner following to

⁴ Cf. nos. 109, 199, *ante*, 471, 505, 602, 603, *post*.

[275]¹ Library of Congress, Portfolio 104 ("Copy", in the writing of James Lovell, including the signatures); Papers Cont. Cong., no. 79, vol. I., f. 217 (letter-book copy).

[276]¹ Library of Congress, U. S. Revolution.

² The letter is signed "Tim: Pickering junr. By order of the Board", and is addressed, "To William Atlee Esqr. Dy. Commissary of Prisoners At Lancaster". Cf. nos. 311, 324, 325, *post*.

[277]¹ R. I. Hist. Soc. MSS., VI. 104. The letter may have been to William Vernon, member of the navy board of the Eastern department.

² See the P. S. to no. 262, *ante*.

wit,—one to Gov. Cooke, one to Gov. Hopkins, one to the Secretary, one to the Gen. Treasurer, one to Gen. Sullivan and the other to the Honble Jabez Bowen Esq.

The old enfeebled *Lion* growls out and *if* [as ?] at the aggression on his honour, while the *Cock* crows round him determined to pick up his share of commerce. A war seems to be unavoidable. Can Britain, will Britain submit that France should carry on an unmolested Commerce with their [these ?] States? Her proud Spirit I think cannot brook it, whatever sound Policy may dictate. Will she risk the Loss of her West India Islands, the Loss of Canada, the Loss of rank amidst the Empires of the world rather than acknowledge the Independence we are in *full possession* of. I think she will. *Quos deus vult perdere prius dementat*. I have not time to ask another Question, nor to add only that I am with great respect

Your very humble Servant

WM ELLERY

278. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
GEORGE WASHINGTON.¹

Sir

YORK TOWN 15 May 1778.

The last I had the honor of writing to Your Excellency was dated the 11th by the hand of Colo. Gimad.

I have since presented to Congress Your Excellency's favors of the 11th and 12th which were immediately Committed and remain unconsidered. . . .

[P. S.] Extracts from the Philada. Paper which Your Excellency was so obliging to send I caused to be made and Printed the Evening the Paper came to hand much to the satisfaction of Congress and I believe of everybody possibly many Gentlemen in the Army may be uninformed of these Interesting transactions and therefore I shall transmit by the present bearer about 50 Copies.² . . .

279. THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS AT PARIS.¹

In Committee for Foreign Affairs,
YORK TOWN, May 15, 1778.

Gentlemen

Your pressing request for 5000 Hhds of Tobacco, is a matter as embarrassing to Congress as to yourselves.² Their anxiety to get it to you is

[278]¹ Library of Congress, Washington Papers; *ibid.*, President's Letter-Book, I. 322.

² Washington had transmitted with his letter of May 12 (*Writings*, ed. Sparks, V. 361) a Philadelphia paper of May 9 containing "a message from his Most Christian Majesty to the Court of London, in consequence of the treaty between him and these States, and his Britannic Majesty's Address to the Lords and Commons". Washington remarks: "The message is conceived in terms of irony and derision, more degrading to the pride and dignity of Britain, than anything she has ever experienced since she has been a nation. It is not an actual declaration of war, but it certainly must produce one." The message was delivered by the Marquis de Noailles, the French ambassador. It is in *Annual Register*, 1778, p. 291, and Almon's *Remembrancer*, V. 119. See no. 288, *post*, also John Laurens to his father, May 12, *Army Correspondence*, p. 171.

[279]¹ Am. Phil. Soc., Franklin Papers, IX. 170; Harvard Univ. Lib., Lee MSS., IV. 125; Library of Congress, Papers Cont. Cong., no. 79, vol. I, f. 228 (letter-book copy); Wharton, *Rev. Dipl. Corr.*, II. 582.

² See the letter of the commissioners Feb. 16, 1778, in Wharton, *Rev. Dipl. Corr.*, II. 495; also *ibid.*, pp. 284, 300, 390. Cf. no. 281, *post*.

as great as yours to receive it. We have already lost considerable Quantities in the attempt, and thereby furnished our Enemy, Gratis, with what was designed to discharge your Contracts with, and promote the Interest and Commerce of our Friends. We request your particular attention to this information. It is a matter of the highest moment to our allies as well as to ourselves. In the present State of things it is very probable that England will not interrupt the Trade of France in her *own* Bottoms, and our desire is, as well for her Benefit as ours, that France would open the Trade from her own Ports, so that the Intentional advantages of the Treaties may fully operate to both countries. We need not enlarge on this head, as your own discernment and Judgment will furnish you with all the reasons necessary therefor

In addition to what is mentioned in our Letter No. ³ respecting the 11th and 12th Articles we observe that the 12th is capable of an interpretation and misuse which was probably not thought of at the Time of Constructing it, which is, that it opens a door for all or a great part of The Trade of America to be carried thro the french Islands to Europe, and puts all future regulations out of our Power, either by imposts or Prohibition, which tho' we might never find our Interest to use, yet it is the keeping those in our Power, that will hereafter enable us to preserve equality with, and regulate the Imposts of the Countries we trade with. The General Trade of France is not under the like restriction; every Article on our part being Staked against the Single Article of Molasses on theirs. Therefore the Congress thinks it more liberal and consistent that both Articles should be expunged.

We have no material military Transactions to acquaint you with. The Enemy yet remain in Philadelphia, but some late movements make it probable they will not stay long. Our Army is yet at the Valley forge. The Enemy thro' the Course of the Winter have carried on a low, pitiful, and disgraceful kind of War agst. Individuals, whom they picked up by sending out little parties for that purpose and revengefully burning several of their houses. Yet all this Militates against themselves, by keeping up an inflammable Indignation in the Country towards them; and on the whole, we know not which most to wonder at, their folly in making us hate them, after their inability for Conquest and desires of Peace are confest, or their Scandalous barbarity in expressing their Resentments.

You will see, Gentlemen, by the Contract which the commercial Committee has signed with the Agent of Mr. Beaumarchais that Congress was desirous of keeping a middle Course, so as not to appear to slight any determined Generosity of the French Court, and at the same Time, to show a Promptness to discharge honourably the Debts which may be justly charged against these States by any Persons.⁴ We depend upon you to explain the affair fully, as you seem to make a Distinction between the military Stores and the other Invoices, while no such Distinction appears in the Letters of Mr. Deane and Mr. Beaumarchais. In short, we are

³ The letter of May 14, no. 271, *ante*. See particularly Franklin's comments on the subject in his letter to Lovell, July 22 (Wharton, *Rev. Dipl. Corr.*, II. 656).

⁴ See nos. 240, 274, *ante*, and no. 281, *post*.

rather more undetermined by your late Dispatches than we were by your long Silence.

Congress being at this Time deeply engaged in a Variety of pressing Business and the foreign Committee thin of Members you will be pleased to excuse us from being more particular in our Answer to your several Dispatches, as well as in our Information of the State of our affairs.

We are, gentlemen

Your very humble Servants

RICHARD HENRY LEE

JAMES LOVELL.

P. S. You will see what we have written to Mr. Dumas,⁵ and will point out to us what will be our Line of Honor to him and justice to these States.

280. JAMES LOVELL TO BENJAMIN FRANKLIN.¹

YORK May 15th 1778.

Sir

Your Favour of Decr. 21st I read in Congress that it might have the Operation which you benevolently generously and honourably intended.²

But really Sir, when you say you "perceive he (Mr. D—) has Enemies", I am not inclined to determine that you form your Opinion upon the Proceedings of Congress alone; to which you refer in the Beginning of your Letter. You can have no adequate Idea of the bold Claims and even Threats which were made against Congress inducing the Necessity of disavowing Mr. D's Agreements and the consequent more disagreeable Necessity of recalling him.³ You will have seen by past Letters of the Committee how formidable some here thought the Enmity of disappointed foreign Officers would prove both to Mr. D— and to these States. That Gentleman's Embarrassm'ts have always been considered as Apologies for his Compliances; and you may rely upon it that imagined, if not real Necessity alone has governed the Decissions of Congress in respect to him; and that he will find he commands general Regard for the Manner in which he has conducted our Affairs abroad. He is exceedingly wanted here to explain some Things; especially the Connexion with Mr. Beaumarchais; and, in my Opinion, he may return with renewed Honour in Commission to Holland.

Folgie is to be dismissed with his Expences. I wish some Explanation may procure him a Gratuity⁴

⁵ The letter to Dumas May 14 is in Wharton, *Rev. Dipl. Corr.*, II. 580. The letter from Dumas particularly alluded to here is dated Aug. 22, 1777 (with a continuation of Sept. 5), and is found *ibid.*, p. 377.

[280]¹ Univ. of Pa., Franklin Papers, II. 30; N. Y. Hist. Soc., *Collections: Deane Papers*, III. 305.

² Franklin's letter to Lovell Dec. 21, 1777, is in Wharton, *Rev. Dipl. Corr.*, II. 457. The letter may have been read in connection with the discussion of foreign affairs May 9. Cf. Franklin to the President of Congress, Mar 31, 1778, *ibid.*, p. 527.

³ The order for Deane's recall was passed Nov. 21, 1777. See also the *Journals*, Dec. 8, 1777, and these *Letters*, vol. II., nos. 753, 760, 766, 768, 769. Cf. no. 268, *ante*, and no. 330, *post*. In his reply to Lovell, July 22 (Wharton, *Rev. Dipl. Corr.*, II. 656), Franklin makes some rather trenchant comments on the situation created by the plurality of commissioners in Paris.

⁴ See the *Journals*, Jan. 12, Feb. 23, May 8, 28; also nos. 24, 36, 240, *ante*.

281. THE COMMITTEE OF COMMERCE TO THE
COMMISSIONERS AT PARIS.¹

Committee of Commerce
YORK IN PENNSYLVANIA May 16, 1778.

Gentlemen

This will be accompanied with a Contract entered into between John Baptist Lazarus Theveneau de Francy Agent of Mr. Peter Augustine Baron de Beaumarchais representative of the House of Roderique Hortalez and Co. and the Committee of Commerce.² You will observe that their Accounts are to be fairly Stated and what is justly due Paid. For as on the one hand Congress would be unwilling to evidence a disregard for, and contemptuous refusal of the Spontaneous friendship of his

[281]¹ Am. Phil. Soc., Franklin Papers, IX. 175; Harvard Univ. Lib., Sparks MSS., no. 49, vol. III., f. 25.

² The text of this contract, the "heads" of which had already been transmitted to the commissioners (see no. 240, *ante*), is spread upon the *Journals* under Apr. 7, the day on which the instrument was agreed to in Congress. As there printed, however, the names of the members of the commercial committee are omitted, naturally enough, since that committee, as well as all other standing committees of Congress, was a body of fluctuating membership. In the American Philosophical Society, Franklin Papers, LVII, 8, is a signed copy of the contract, dated Apr. 16, 1778, which has in the blank places for the commercial committee "the Honorable William Ellery, James Forbes, William Henry Drayton, and William Duer Esquires", and is signed by J. B. Lazarus Theveneau de Francy and these four members of the committee. The fluctuation in the membership of the committee at once appears when these names are compared with those subscribed to this letter, which bears a date exactly one month later.

Among the Laurens Papers in the South Carolina Historical Society (vol. XXVII., "Congressional, 1779") is a copy, in an unidentified writing, of the instrument apparently in the form in which it was brought before Congress. It is labeled: "Second plan proposed by Mr. M——" (*i. e.*, Robert Morris; see no. 186, *ante*). Besides a number of minor variations and probable errors in copying, there are several differences between that document and the contract as signed which should be pointed out:

In the first place, it is significant that the commercial committee is set down in this instrument as "F. Lewis and Co."

Next, among those seven stipulations on the part of Roderique Hortales and Co., the "First" (*Journals*, p. 316) has at the close (after the words "they were shipped") the words "to the Satisfaction of the Said Committee".

In the "Fifth", after the word "chartered" are the words "or bought".

In the "Sixth", after the word "charters" are the words "and purchases".

The seventh stipulation in the Laurens document reads: "that what ever bills of exchange the Hble. Congress shall have occasion to draw on the Sd. R. Hortalez and Co. not exceeding livres per ann. shall be punctually honoured."

The stipulations on the part of the commercial committee as set forth in the Laurens document are only six in number. The "Second", found in the text in the *Journals* (p. 317) and in the signed contract, is lacking altogether, and the remaining items, 3d to 7th, are numbered 2d to 6th, respectively.

In the 1st it is provided that remittances shall be made "to the American Commissioners at the Court of France or such agent as shall be appointed under the authority of Congress"

The 2d (which was replaced by the third in the *Journals* text) reads as follows: "that per Ct. interest shall be allowed on the debt already due, as well as on what is hereafter to become due to the Sd. R. H. and Co. in Virtue of this agreement computing the same from the usual periods of Commercial credit on goods exported and discounting therefrom interest on all payments from the date of which they are made."

The 5th ("Sixth") begins: "that per Ct. Commission shall be allowed", etc., and does not include the words "or other charges".

The 6th ("Seventh") likewise begins: "that per Ct. Commission shall be allowed".

Finally, the last paragraph of the contract, "Provided always", etc., is lacking in the Laurens document.

most christian Majesty; so on the other they are unwilling to put into private Pockets what was gratuitously designed for Public benefit. You will be pleased to have their Accounts liquidated and direct in the liquidation thereof that particular care be taken to distinguish the property of the Crown of France from the Private property of Hortalez and company and transmit to us the accounts so stated and distinguished. This will also be accompanied by an Invoice of Articles to be imported from France and resolves of Congress relative thereto. You will appoint if you judge proper an Agent or Agents to Inspect the quality of such Goods as you may apply for to the House of Roderique Hortalez and Co. before they are Shipped to prevent any imposition.³

The obstructions of the Bays and Harbours to the Southward by British Men of War, hath prevented our shipping Tobacco as we intended. We have ordered several Vessels lately to South Carolina for Rice and have directed the Continental Agent in that State to consign them to your address. So Soon as we can venture to send out Tobacco with any probability of Success we shall certainly do it.

This goes by a dispatch Vessel under the direction of the Committee of foreign Affairs.⁴ Five Others are employed in the same business, which you will load with such Articles as you may have ready to transmit to us.

We congratulate with you in the treaties entered into with his most christian Majesty and are with greatest respect Gentl

Your very hble Ser'ts

WILLIAM ELLERY

RICHD. HUTSON

THOS. ADAMS

Copy

The Honble

The Ambassadors of the United States at Paris.

282. HENRY LAURENS TO LACHLAN MCINTOSH.¹

YORK TOWN 16th May 1778.

My Dear General,

. . . . I have been honoured by the receipt of your favor of the 11th. an answer is anticipated. You have heard I presume in public Orders the Act of Congress respecting half pay for Officers and gratuity to Non Commissioned Officers and Soldiers after the conclusion of the War. the whole is gratuitous, and does not strike at the Constitution, unless Officers shall view in that light exclusion from holding Offices of profit in common with their fellow Citizens, which may appear to some a little invidious. this short Act is the issue of a mountain of Resolves and debates which had been in labour nearly two Months. the process will be a fitter

³ See nos. 240, 279, *ante*, and no. 437, *post*. See also Franklin's comments on some features of the contract, in his letter to Lovell, July 22 (Wharton, *Rev. Dipl. Corr.*, II. 656).

⁴ See no. 297, *post*.

[282]¹ Hist. Soc. of Pa., Dreer Coll., Members of the Old Congress, III. 43; S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. 114. The letter was addressed to McIntosh at Valley Forge Camp.

subject for conversation, I shall not therefore attempt to trouble you with it at present. the original demand was unjust, its warmest advocates receded and shifted their ground, from time to time, compelled by the power of reasoning opposition. what is now Resolved might have been obtained on the 30th March ² but as I hope the pleasure of taking you by the hand in York ³ I will only add that *your* conduct has lost you no ground in the esteem of your fellow citizens. . . .

283. THOMAS MCKEAN TO MRS. MCKEAN.¹

My dear Sally,

. . . .

YORK-TOWN, May 16th 1778.

P. S. . . .

Colo: Francis Johnston upon my recommendation, and without his sollicitation or knowledge, is appointed Commissary-General of Prisoners in the stead of Mr. Boudenot, who has resigned in order to take his seat in Congress.²

284. HENRY LAURENS TO JOHN LAURENS.¹

16th May, 1778.

My Dear Son,

. . . . Monsr. Lanuville vexed me very seriously the other Evening. he brought your Certified Copy of General Washington's Letter and in much warmth asserted "it was not like the original—this had contained much warmer expressions in his favor". I first mildly answered—he must certainly be mistaken. he persisted and warmly too. Sir! I replied, it is, it must be, a true Copy, I will stake my honor and my life upon it. he retired in much seeming disgust. I sent for Mr. Nourse Secretary pro. tem at the War Office, and between chiding for the repeated losses and miscarriage of public papers in that Office, and entreaties to search diligently for the Generals original, relative to Monsr. Lanuville, I prevailed on him at an unseasonable hour, not any such hour in my four and twenty, to rummage, horrible Idea to rummage in an Office which ought to be accurate in all things. he succeeded, brought the Letter, I sent it immediately to the Gentleman Monsr. Laneuville who returned a deep apology, which covered with blushes he repeated next Morning.²

² See the *Journals*, May 15. Cf. nos. 222, 242, 247, 255, 267, *ante*, and no. 287, *post*.

³ In a letter of May 12 (*Writings*, ed. Sparks, V. 361), read in Congress May 14, Washington informed Congress that he had appointed General McIntosh to command at Fort Pitt, in place of General Hand, who, at his own request, had been ordered recalled (see the *Journals*, May 2). Washington's letter to McIntosh appointing him to that command is in *Writings* (ed. Sparks), V. 382, with the date May 26. The draft of the letter in the Washington Papers bears, however, only the date "May 1778", although an endorsement (in an unidentified writing) makes the date May 26. Cf. nos. 289, 296, *post*.

[283]¹ Hist. Soc. of Pa., McKean Papers, VI. 15.

² See the *Journals*, May 11, 20, 21, 23.

[284]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. III.

² The letter of Washington referred to is probably one dated May 7. The draft, in the writing of John Laurens, is among the Washington Papers in the Library of Congress. With regard to the case of Laneuville, see the *Journals*, May 5, 13, 14; also nos. 265, 266, *ante*, 285, 443, 445, 477, *post*.

Congress must from necessity have done something for this Gentleman, because he had been detained here after he had asked only for a Yes, or a No, upward of three Months. there was however more than a little Struggle. under a droll resolution he is appointed Inspector of the Northern department, where he is to be on probation three months and then considered according to merit. as he is said to be a competent Soldier and appears active, no doubt he will obtain his wishes, to the height of a Brigadier.

to Inadvertence and not to want of good will must be imputed a deficiency in Congress towards Colo. Ethan Allen. I shall remind the House this Morning to order him a supply of Money. in the mean time I intreat you in my Name offer him any Sum he may require, obtain it of the Pay Master, or from any Body and I will remit immediately a sum to reimburse.³

285. WILLIAM DUER TO HORATIO GATES.¹

My dear General,

16 May, 1778

This Letter will be deliver'd to you by Monsr. de la Neuville who is appointed Inspector to the Army under your Command agreeable to your Wishes. I could have wished with many others that Congress had conferr'd on him at present the Rank of a Brigadier; but there was no softening some of your Eastern Friends so that we have been obliged to content ourselves with a Promise from Congress to promote him to a Rank agreeable to his Merit after an Experience of his Talents and Services for Three Months. At the Expiration of This Time I have no doubt but he will manifest himself Worthy of the Rank his Wellwishers were anxious to procure for him in which Case I doubt not he will meet with your Patronage, and favorable Recommendations to Congress.²

286. A COMMITTEE OF CONGRESS TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

Sir,

Inclosed we send you Extracts from a Letter found on board a sloop which stranded on Cape Henlopen the 1st instant.

We should have sent your Excellency the original, but that there were other matters in it which concern the State of Virginia. You will perceive, Sir, how necessary the utmost vigilance will be to detect and punish these nefarious practices. . . . Congress, having obtained several Letters which were found in the afsd. sloop, referred them to a Committee.²

Your Excellency's Most obedient humble Servants

WM. DUER

THOS MCKEAN

RICHARD HENRY LEE

YORK TOWN May 16th 1778.

³ See the *Journals*, May 14, 16.

[285]¹ N. Y. Hist. Soc., Gates Papers, XII.

² See no. 284, *ante*.

[286]¹ Md. Hist. Soc., Red Book, X, 81; *Arch. of Md.*, XXI, 89.

² The *Journals* record under May 16 that a number of intercepted letters were laid before Congress and were referred to a committee, there named as Richard Henry

287. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES.).¹

17th May [1778.]

Dear Sir,

My last private is dated 1st Inst. and forwarded by Messenger Cross Since which I have been honoured with Your Excellencys favors of the 13th and 18th April as acknowledged in a public Address of the 14th Inst.²

I presented and read these to Congress as public and received great Satisfaction from the attention which was paid to the whole and not less from the applause generally expressed upon particular articles. Men are pleased with instances of watchfulness over the public Stock even when they are not themselves half so attentive to expenditures as they ought to be. . . .

Had your Excellency known in what manner we had just before treated your worthy predecessor's Certificates for Money advanced in So. Carolina for public services, you would have been more cautious of draining our private Treasury. I had intimated when the draughts were given to Mr. Rose on the Loan Office that there was no money there and that consequently the Bills would not be paid.³ I was really affected by the item of advance made on that acco't although made with the best intentions and my duty obliges me to add that more than one Member on the floor expressed dissatisfaction with the practice of advancing Money from a particular Treasury on general account without special order. this was indeed rather applied to the advance made to the Commercial Agent.  I was well pleased with the hint, persuaded in my own mind Your Excellency will not insist upon a second.

The taking up loan Office Certificates for raising Money seems to be very displeasing; If Money lenders will not deposit in that fund because of the low Interest, can a Negotiation in Trade be effected without vast discount? Whatever this discount may be, it is kept out of sight, by laying the loss on the purchase. I refer only to the practice in this part of the Union.

It has been asserted in Congress that a gainful infamous traffic has been carried on by some of our numerous host of honest servants, by

Lee, Lovell, and Witherspoon. It is conceived that the entry naming the members chosen is an error, since it does not accord with the membership of the committee as shown by its letters. There is, besides, this additional evidence, that the entry in the *Journals* is in a darker ink than that of the other entries of the day and is also somewhat crowded, both facts indicating a later insertion. Moreover, Witherspoon was probably not then in attendance, although he appears to have resumed his seat about May 21.

The letter from which were taken the extracts enclosed in the committee's letter (see *Arch. of Md.*, XXI. 89) is dated Apr. 27 and relates in particular to a statement of "Old Gutrich" (see no. 523, *post*) that a number of men from Somerset County, Maryland, had enlisted in the British service. A reply to the committee, from the Maryland council, May 22, is *ibid.*, p. 106. A letter from the committee to Governor Caswell (May 16) has not been found, but Caswell's reply, May 28, is in *N. C. State Recs.*, XIII. 140.

[287]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 117.

² Lowndes's letters were read in Congress May 14. See note 5, below.

³ The reference is probably to the warrant for \$25,000 on the loan office in South Carolina ordered issued to Alexander Rose, Jan. 26. See also the *Journals*, Mar. 9. With regard to certificates of Lowndes's predecessor (John Rutledge), see no. 146, *ante*. For action concerning South Carolina's accounts and loan office, see the *Journals*, May 14 (pp. 497, 498), 20, 29. Cf. *ibid.*, July 11.

means of loan office Certificates, which have been, as they impudently pretended, passed for ready Money; but the prices of articles produced by them were enhanced 25 to 30 Pr. Ct. to the emolument of the contracting parties. I Say Sir, this has been asserted, and in a land abounding with practices of speculation and sacrilegious Robberies of public Money I find no difficulty in believing it, hence appears in another view the necessity for watchfulness. if the Evil had stopped in the instances alluded to, the loss would have been confined, but a door once opened to advanced prices corruption becomes contagious, pervades every branch of Commerce, calls for extra Millions, depreciates the value of our Money, and threatens bankruptcy. there can be no doubt of the payment of Interest Money in Bills of Exchange in terms of the past Resolves of Congress, but this is another Evil to be deprecated for the future. an attempt to renew this mode of payment will be made. I shall as I did the former, oppose it with all my might. Some Gentlemen now see the pernicious effects and acknowledge the justness of my predictions but when Men are Interested, their sight fails on one side and continues extremely clear in the Sinster view. . . .

With respect to the little explanation between your Excellency and Genl. Moultrie it is sufficient to intimate that under the Resolves of Congress of the 9th Feby. Governor Livingston Weeded out a number of useless and pernicious staff officers in the State of New Jersey, among others a Dep: Qur. Master gen. exactly a Case in point, for which I have once returned His Excellency the thanks of Congress, and shall repeat the same tomorrow.⁴

Your Excellency's refusing to grant Money before an Account of the expenditure of former grants had been rendered has been marked with particular approbation. more of this will probably appear in the Report of the Committee.⁵ . . .

Doctor Franklin was presented on the 20th March to his Most Christian Majesty and now protector of the Rights of Mankind, in the Character of Ambassador plenepotentiary from the United States of America and was most graciously received. the King at the same time named an Ambassador from his Court to the United States this circumstance has given a little fillip to Congress.⁶ after living eight Months in a stile some what

⁴ See the *Journals*, May 16 (p. 504). The date of the resolution mentioned in that entry as of Feb. 19 should be Feb. 9. Cf. the *Journals*, May 29.

⁵ See the *Journals*, May 14, 26, 29. Cf. nos. 290, 315, *post*.

⁶ The same news is mentioned by the Connecticut delegates in three several letters, nos. 291, 293, 294, *post*. In the letter to Governor Trumbull it is stated that the duplicates of the French treaties arrived "yesterday" (Sunday, May 17), and that "by the same packet we have advice", etc. May 19 Richard Henry Lee wrote to Arthur Lee: "Your several favors by the Vessel from Spain with duplicates of the treaties with France are arrived," etc. (no. 295, *post*). According to the *Journals*, May 20, "a duplicate of despatches" was brought by Capt. Harmon Courter (see also the *Journals*, May 30, June 2, 3; cf. no. 305, note 2, *post*); and James Lovell mentions in a letter to Franklin June 20 (Wharton, *Rev. Dipl. Corr.*, II. 626) that Courter arrived May 18 (this is of course the day the despatches were delivered to Congress). Precisely when Courter left Paris has not been discovered, but he wrote to Franklin from Coruña Mar. 13 that he would embark that evening, and from Boston he wrote May 5 that he had arrived after a passage of fifty-one days (*Calendar of the Franklin Papers*, ed. Hays, I. 376, 413; cf. *ibid.*, p. 422). A letter from the board of war of Massachusetts,

below my Overseers in Carolina, we Talk of a Table a Committee is appointed for the purpose and I am ordered upon it.⁷

May 6, read in Congress May 18 (see note 7, below), says: "This will be handed you by Capt. Courter, a Gentleman who arrived here yesterday in a French Frigate from Corunna Charged with dispatches of great importance for Congress. We have agreeable to the desire of our Plenipotentiary there furnished Capt. Courter with every necessary for his Journey and most sincerely wish the Contents of the Packetts may be agreeable." The date for the reception of the commissioners (Mar. 20) was designated by Vergennes Mar. 17 (letter of Gérard, Wharton, *Rev. Dipl. Corr.*, II. 516), and the earliest mention of it in the diplomatic correspondence is in a letter of Mar. 19 from Arthur Lee to President Laurens (*ibid.*, p. 517), "To-morrow we are to be presented to the King of France". William Lee wrote Mar. 23: "On the 20th instant your commissioners were, in form, introduced to the king and his ministers at Versailles, as the representatives of sovereign States, and on Sunday last [Mar. 22] they were introduced to the queen and all the royal family" (*ibid.*, p. 517). There is no evidence that these despatches had reached Congress May 18. On the other hand, it is clear that Courter could have had no knowledge of the reception, inasmuch as he had left Paris sometime beforehand. Moreover, the news received by Congress mentioned the reception of Franklin alone.

A postscript to the letter from the Massachusetts board of war May 6 says: "We have this moment receiv'd a Letter from our worthy Friends Mess. Gardoqui and Sons Merchants in Bilboa, extract from which we have the Honor to inclose. This most important intelligence, of the Truth of which we are fully convinced, must we apprehend, establish the Freedom, and Sovereignty, of the United States beyond a Doubt." This extract (Papers Cont. Cong., no. 65, vol. I., f. 342), which bears the date Mar. 30 and is certified by James Warren, mentions that the post had "this Instant" arrived from Paris bringing the news that "Lord Stormond, ambassador of the Court of England, had departed for London on the 20th Instant, without taking any leave of H. M. Christian Majesty", that a declaration of war was expected, etc., and adds: "The same letters from Paris also mention, That the Honourable Doctor Franklin had also been presented on the 20th to His Most Christian Majesty, in-quality of Ambassador of the Thirteen United American States, and that having been graciously received as such, the King of France had likewise named another for your parts. Those news must certainly be depended on, as all the letters confirm the same; Therefore hope they will reach your hands in 40 days from the date hereof." Undoubtedly therefore this letter from Gardoqui and Sons, which left Spain seventeen days subsequently to the departure of Harmon Courter, but reached Boston only one day behind him, the extract of which Courter himself brought to York, was the source of the information obtained by Congress May 18 of the official reception.

⁷ The *Journals* make no record of the appointment of a committee at this time specifically upon the subject of the President's table. It does appear, however, that a committee (which did not, however, include Laurens), appointed May 18 on a letter from the board of war of Massachusetts, drew a report on that subject. This report, which is without date, is inserted in the *Journals* (Library of Congress edition) under July 31, where it is stated in an editorial note that it is in the writing of Gouverneur Morris, who was not a member of the committee to whom the Massachusetts letter was referred Apr. 8. The *Journals* merely record under Apr. 8 that a letter from the Massachusetts board of war, dated Mar. 26, was referred to a committee consisting of Dana, Burke, and Chase. An examination of that letter (Papers Cont. Cong., no. 147, vol. I., f. 569) shows that it relates to the importation of flour. Again, under May 18, the *Journals* record that a letter from the board of war of Massachusetts, dated Mar. 26, "with an extract of a letter of 30, from Mr. Gardoqui and sons, at Bilboa", were read, and that these were referred to Gouverneur Morris, Charles Carroll, and Elbridge Gerry. An inspection of this letter of Mar. 26 (Papers Cont. Cong., no. 65, vol. I., f. 292) shows that it is a copy of that read Apr. 8 and is followed (on the same sheet) by a new letter, dated May 6 (see note 6, above). The latter begins: "The foregoing is a Copy of the last letter we did ourselves the honor to write you to which we crave reference and now confirm." The copy of the letter of Mar. 26 was therefore essentially an enclosure accompanying the letter of May 6, and it is of course in the letter of May 6 that mention is made of the extract of the Gardoqui letter of Mar. 30.

Undoubtedly the fact that the copy of the letter of Mar. 26 preceded the letter of May 6 misled Secretary Thomson to inscribe the endorsement, "Letter from the board of war of Massachusetts bay 26 March 1778 read 18 May 1778 referred to Mr. G. Morris Mr. Carroll Mr. Gerry", and to make the entry in the *Journals* in the same manner, without reference to the letter of May 6, whereas it was actually the

We are now taking Measures for obtaining strong proofs of prevailing Reports, that the Convention of Saratoga was broken on the part of Great Britain, and I am particularly desired by Congress to request Your Excellency will without delay, cause an enquiry to be made of Captain Senff lately arrived in Charles Town respecting the Colours and Military Chest, and to transmit such intelligence by a faithful and expeditious courier, as may be received from that Gentleman

Since his departure from this place it has been repeatedly intimated to me, that he had said the Colours had been concealed in part of the Baggage declared saved by an article of the Convention and the Cash in the Military Chest deposited, in parts, in the hands of the Officers.

I need not explain to your Excellency the vast importance of a detection of these frauds nor the absolute necessity for dispatch, nor that Captn. Senff ought to be examined touching other articles besides those above mentioned and the whole upon Oath. here we have also been somewhat dilatory. I urged the present determination upwards of two Months ago, within a few days of Captn. Senff's leaving this place.⁸

After two Months labor on a scheme for half pay to officers, in which, as a Silent auditor and spectator, I was Witness to many excellent and some violent strokes in parliamentary Manuevre a long Report of a Committee, ridden by amendments and new Resolves, the original project by the Grace of God, was the day before yesterday rid to Death, and from the Ashes, the inclosed Act of Congress of the 15th May, produced. I transmitted it Instantly to the Commander in Chief: I shall learn in a day or two, its reception in Camp.⁹ Congress have now entered heartily upon the general Arrangement of the Army and will get through without difficulty.¹⁰

Your Excellency will receive in a seperate Packet 13 Sets of Marine Commissions etc, all I have at present and all in my opinion that ought to be used until amendments suitable to our change of Circumstances are made. I have addressed Congress on this subject and hope we shall find time for the purpose immediately after finishing the arrangement. also

latter that was referred to the committee May 18. Strangely enough the committee, in drawing the report referred to above, mention the letter which was the subject of their consideration as of Mar. 26, although the committee must have had the whole communication before them, and certainly knew that the subject-matter assigned them was in the letter of May 6 and that they had nothing whatever to do with that of the letter of Mar. 26.

Concerning later action upon the question of the President's table, see the *Journals*, Dec. 11, 12, 16, and no. 412, *post*.

⁸ Cf. the *Journals*, May 15. There is no mention of Senff in this entry, but a letter from him to the president of South Carolina, in response to this inquiry, was read in Congress Sept. 23. Senff also wrote to Laurens, Aug. 18, concerning the matter of the colors: "His Excellency the President Lowndes ordered my [*sic*] last Week to give him some Intelligence about Genl. Burgoyne's Army—according to His Order I gave Him in writing about Colours and Arms, which I was told of at Albany, but was not present in the Army at the time of the Capitulation." The letter is signed "Jn. Christian Senff, Capt. Engr." (Library of Congress, Laurens Papers). See nos. 379, 383, 462, *post*. With regard to the inquiry concerning the infraction of the Saratoga convention, see the *Journals*, Jan. 2, 7, and *passim*. Cf. nos. 20, 21, 30, 42, *ante*.

⁹ See the *Journals*, May 15, and nos. 202, 203, 206, 211, 222, 231, 242, 244, 247, 255, 258, 267, 282, *ante*, 288, 292, 293, 298, 299, 302, 314, *post*. Cf. no. 174, note 2, *ante*.

¹⁰ See no. 288, note 4, *post*.

20 Military Commissions which may serve in cases of exigency until I transmit more, with the Report on your Excellency's Letters. the impropriety of my predecessors conduct in signing and Spreading in every quarter Commissions in the moment of his retiring was obvious. it has been necessary for me to replace thousands in the several departments. it did not become me to restrain the act, but a remark escaped my Lips "My friend imitates General Vaughan who when he found it expedient to withdraw from Hudson's Banks ravaged the Country". some officers inadvertently hold Commissions under such premature signature, not worth a rush.¹¹

288. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

17th May, [1778.]

Dear Sir,

The very morning Colonel Gimat left York I sent to the Board of War an extract from your Letter respecting Colonel Armand and desired Monsr. Lomagne to attend the Board until a plan shall be digested and a Report made to Congress this I esteem the most eligible and most expeditious mode for bringing the purpose to effect.

Your Excellency may rely on my good will and utmost endeavors but such crowds of important business now lie before Congress, increasing every Morning as almost forbid my hopes of introducing this in a few days.²

¹¹ Cf. the *Journals*, May 25, 28 (pp. 531, 547).

[288]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., p. 115.

² The letter from Lafayette, an extract of which Laurens had sent to the board of war, was probably one of Apr. 21 (*S. C. Hist. and Geneal. Mag.*, VIII. 63), relative to an independent corps which Colonel Armand desired permission to raise. May 1 Lafayette wrote that he was impatiently waiting to hear that Armand's request had been granted (*ibid.*, p. 124); and May 10 he wrote by Captain Lomagne, again urging consideration of the matter (*ibid.*, p. 128). This was followed by another letter on the subject, May 14 (*ibid.*, p. 129). It is the letters of May 10 and 14 to which Laurens is here replying. The matter was brought before the board of war probably May 12 (Colonel Gimat was the bearer of Laurens's letters of May 11, nos. 264-266, *ante*), and the board appears to have prepared a report upon it May 17, which was not, however, brought into Congress until June 25 (see the *Journals* of that date), and then adopted in part only. Cf. nos. 303, 324, 325, 361, *post*. For the earlier stage of Armand's plan see two undated letters from him to Washington, in N. Y. Hist. Soc., *Collections: Revolutionary Papers*, I. 289-291, and Washington's reply to the latter of these, Mar. 25 (*Writings*, ed. Sparks, V. 298). With regard to Armand's first commission, see vol. II. of these *Letters*, no. 508, and Robert Morris to Washington, May 10, 1777 (*Letters to Washington*, ed. Sparks, I. 375). See also no. 168, *ante*. Besides the body of Armand letters in the N. Y. Hist. Soc., *Collections*, referred to above, there are extracts of a number of letters to Robert Morris (1777) in Henkels, *Catalogue*, no. 1183, items 313-322. One of these, in which he urgently requests Morris to use his influence to have him appointed a brigadier-general, is also in *Catalogue*, no. 1337, item 42. An account of Armand, by Townsend Ward, is in *Pa. Mag. of Hist. and Biog.*, II. 1, and sketches of him are found in Wharton, *Rev. Dipl. Corr.*, I. 399, and in Appleton, *Cyclo. Am. Biog.*

Lieutenant-Colonel Gimat was aide-de-camp to Lafayette (see the *Journals* Feb. 2 and *passim*; also Wharton, *Rev. Dipl. Corr.*, II. 219, 220). Lomange was one of those made captain Feb. 2 upon Lafayette's recommendation. In his letter of May 10, referred to above, Lafayette says: "Mons. de Lomange wants to be a major that I don't believe Congress will do but have promised to write you on the subject."

I have not been able to collect one more french paper in addition to those few sent by Colonel Gimat Mr. Lovel gave me the strongest assurance those were all he was possessed of or knew where to collect. I will keep my attention very closely to future importations.

Congress having finished after long labour, in a very few Lines, the scheme of gratuity for officers non Commissioned Officers and Soldiers of the Army;³ the general arrangement comes next under consideration.⁴ this work will be prepared by Mr. Govr. Morris and Mr. Dana. to these Gentlemen I will present all your Excellency's intimations respecting French Gentlemen and I could wish you would speak in a few Lines on the subject directly to Mr. Morris and Mr. Dana. there will be time enough. we shall get through the scheme in the course of a Week.

the minute I read the Duke de Noaille's information to the British King, I sent for a printer and ordered 500 Copies to be immediately struck off Congress received the Impressions next Morning with great satisfaction and I believe everybody is equally well pleased.⁵

289. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO DAVID ESPY AND OTHERS.¹

Sunday Noon 17th May 1778.

Gentlemen,

Your Petition to Congress under a Cover directed to me, this moment came to hand. the little Lad² who brought it discovers some anxiety to return immediately—for this reason and also because I believe his stay here is not necessary I shall detain him no longer than while I assure you your Petition shall be presented at the earliest meeting of Congress to morrow.³

290. HENRY LAURENS TO WILLIAM MOULTRIE.¹

18th May [1778.]

Dear General,

On the 13th Inst. I was honoured with your favor of the 20th April; the next Morning I presented it to Congress and it was ordered with

³ See the *Journals*, May 15. Cf. no. 287, note 9, *ante*.

⁴ The report presented by the committee May 18 is evidently that printed as an appendix in the *Journals*, vol. XII., p. 1269. See the *Journals*, May 18, 19, 20, 26, 27, 29, June 2, 9. Cf. no. 287, *ante*, and nos. 298, 299, 307, 314, *post*.

⁵ In his letter of May 14 (see note 2, above) Lafayette remarks: "I hope the Gentlemen of Congress have not been displeased with the letter of my uncle the M^{re} de noailles to his brittanick majesty, and the effects it has produced." See no. 278, *ante*. [289]¹ Library of Congress, President's Letter-Book, I. 325. The address noted in the letter-book is, "David Espy, Charles Cosna, Andrew Huston, William Parker, and others, Petitioners to Congress, in a Petition dated Bedford 12 May 1778".

² The Letter-Book contains the memorandum, "Sent by their Messenger George Bell".

³ Laurens nevertheless discoursed at some length upon the enemy's attempts to stir up the savages, etc. The petition, which pertained to the dangerous situation on the frontier, was read in Congress May 18 and referred to the board of war, to whom was referred the same day a letter from Thomas Smith, and on May 19 a letter from the Pennsylvania council, all on the same subject. The council's letter (dated May 19) is in *Pa. Arch.*, first ser., VI. 524; the letter of Samuel Hunter, which accompanied it, is *ibid.*, p. 499. See no. 296, *post*.

[290]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 127.

His Excellency president Lowndes's dispatches to a select Committee. when a Report is made and I receive Commands you shall be immediately informed. in the mean time I may safely assure you the Dep. Qur. Master General is liable to suspension by the President, should he, which I hold to be impossible, give Cause by improper conduct.² I shall this day return thanks to Govr. Livingston for his attention to public Interest by Suspending many staff officers among them a person exactly upon a Line with Colo. F. Huger—a dep: Qur. Master appointed by Genl. Mifflin.

Mr. Dart will probably be confirmed in the office of Dep: Clothier general. I believe this article rests pretty much in my own power, arising from a singular circumstance, and that Gentleman may depend upon my friendship. Will you do me the honor Sir, to present my Compliments to Mr. Dart. I beg his pardon for not writing. this respect shall not be omitted when I can tell him what he wishes to know.³

291. OLIVER WOLCOTT TO JONATHAN TRUMBULL, JR.¹

YORK TOWN 18th May 1778

Sir,

Your Letter of the 30th April to President Laurens, was referred to the Board of Treasury. By that Board I am desired to Acquaint you That on the Date of your Letter Congress had ordered 250,000 Dollars, and 100,000 ditto in an order on the Loan Office of N York, to furnish your Chest, which I hope before now is recd. by you.² As to the Stile in which you ought to be addressed, it should undoubtedly conform to the Tenor of your Commission. I shall only observe to you, that I beleive it never was intended to address you improperly. I suppose that Committees who have reported upon Subjects relative to your office thro' mere Inadvertence and Ignorance of your proper address, have given your office an improper Discription. such Discriptions being found in the Journals of Congress, they served tho' improperly as precedents for future address. This I apprehend is the Case of the present Error in your Stile. I really beleive that Nothing was ever intended in the address, injurious.³ But perhaps the President will not Write to you upon the Subject, as I think that he will not enter into any Debate upon it, however before long I hope that you will have a Stile perfectly unequivocal, as Congress have in Contemplation to put the Board of Treasury into Commission, which they

² See the *Journals*, May 14, 26, 29; cf. no. 287, *ante*. A copy of the resolutions of May 29 was transmitted to Moultrie June 1 (S. C. Hist. Soc., Laurens Letter-Book, p. 156). The deputy quartermaster-general, as the next statement of Laurens shows, was Francis Huger. The index to the *Journals* erroneously assigns the reference of May 29 to Col. Isaac Huger. See nos. 315, 634, *post*. Concerning the action of Governor Livingston, which Laurens mentions, see the *Journals*, May 16.

³ See the *Journals*, May 29 (p. 553, erased entry), Aug. 20, Sept. 18.

[291]¹ Conn. Hist. Soc., Papers of Jonathan Trumbull, jr., vol. I., no. 54.

² See the *Journals*, Apr. 30, May 15, June 16.

³ See nos. 53, 84, 85, 98, 148, *ante*.

doubtless Will soon Do. In that Case I think it highly probable that you will be invited to take a Seat at that Board.⁴

Yesterday Duplicates of the Treatys with France were bro't to Congress. Dr. Franklin on the 20th March was formally recd. at the Court of Versailles as Ambassador from these States. That Court has Nominated a Person to Reside here under a like Character.⁵

Please to Present my Service to my Freind Mr. Peirce, and be assured that I am Sir

Your Most Obedient humble Servant

OLIVER WOLCOTT

Jonathan Trumbull Esquire

292. WILLIAM ELLERY TO THE GOVERNOR OF RHODE ISLAND
(WILLIAM GREENE).¹

Sir,

YORK TOWN May 18th. 1778

I have received the powers and instructions respecting the confederation, and agreeably to a resolution of the house laid the proposed alterations and amendments on the table last wednesday. The confederation was to have been taken up last saturday; but was kept back by some pressing business. I do not expect that any of the amendments proposed by our State will take place, excepting that for taking estimates every five years.²

I informed the Assembly some time ago that it was proposed in Congress that half pay for life should be allowed to all military commissioned officers, who now or hereafter may be in the service, and continue therein during the war, and desired instructions thereon.

This matter was first agitated in a committee of the whole, afterwards amended in Congress, and when amended a question was had, according to a previous agreement, whether the proposition should be referred to the States for their consideration or not, and passed in the negative by a majority of one vote only. The main question was then proposed, and a debate ensued, during which it was thrown out by the minority that if the half pay was fixed for a term of six or seven years it might produce a coalition; whereupon the question was put off to the next day when this knotty business was settled according to the inclosed resolution.³

⁴ A committee report proposing the creation of a new board of treasury, composed of others than members of Congress, was brought in Apr. 15. July 30 it was referred to a committee, which made a report Aug. 13. A plan was adopted Sept. 26. For details of the proceedings consult the index to the *Journals*. Jonathan Trumbull, jr., was nominated for the office of comptroller of the treasury Oct. 31 and elected Nov. 3. His letter of acceptance, dated Nov. 30, was read in Congress Dec. 15. Cf. the *Journals*, Apr. 12, 13, 22, 1779.

⁵ "This Day Duplicates of the Treatys with France were bro't to Congress." (Wolcott to Mrs. Wolcott, May 17, Conn. Hist. Soc., Wolcott Papers, II. 56.) See no. 287, note 6, *ante*, and no. 293, *post*.

[292]¹ John Carter Brown Library; Harvard Univ. Lib., Sparks MSS., LIX. 430.

² See the *Journals*, May 9, 18, and no. 219, note 3, *ante*. For action on the Articles of Confederation see no. 243, note 4, *ante*, and nos. 293, 306, 336, 339, 367, *post*.

³ See the *Journals*, May 13, 15. Ellery's account of proceedings indicates that the half-pay measure was also discussed on the 14th. For the "previous agreement" referred to, see the *Journals*, Apr. 1, and nos. 206, 211, *ante*. Cf. nos. 287, *ante*, 293, 302, *post*.

293. THE CONNECTICUT DELEGATES TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

YORK TOWN, May 18th, 1778.

Sir,

The inclosed Resolution of Congress is the result of the most painfull and disagreeable question that hath ever been agitated in Congress.²

The question was stirrd before Col Dyer left Congress, and he will be able to give some account of the matter and sentiments of many of the States thereon.

A most disagreeable and serious debate hath continued about seven weeks, a bill being bro't in for an half pay establishment for life for the officers, and to their widows during their widowhood. Several collateral questions were determined in the progress of the debate, which shewed that eight of the States were in favor of the establishment for life, etc., as above; Rhode Island, Connecticut, New Jersey, and South Carolina strenuously in the negative, New Hampshire being absent.

General Washington wrote repeatedly upon the subject, expressing his great concern, and the necessity of the measure. In one of his letters he says, that alltho' he never would take any benefit of such an establishment himself, yet he did most religiously believe the salvation of the army depended upon it; many of the States deemed the measure not only absolutely necessary but salutary, just, and reasonable.

The justice as well as necessity of doing some thing for the army was obvious; to increase their wages would so directly tend to depreciate the currency it appeared dangerous as well as futile.

Finally after long debate and delay, in hope some favorable event might turn up, even til delay became dangerous, the bill was carried for an establishment for life, but the four States who were in the negative, as before mentioned, persevering and urging the dangerous tendency of such a measure as being totally inconsistent with free States, repugnant to principals upon which this great controversy was begun and by which it must and ought to be defended, with many other arguments and observations too tedious to be enumerated, the majority of the delegates of Massachusetts came over to the negative side of the question.

There appearing a serious concern in Congress to adopt some mode in this important matter, in which they might unite so as to answer the necessities of the army, and preserve harmony and unanimity in all the States, a reconsideration of the Bill was proposed and an amendment moved and finally adopted, which is the inclosed resolution, providing both for officers and soldiers such a reward as should be deemed equal in value to their wages at the original stipulation.

It is allmost impossible to give a clear and full representation of the difficulties attending this debate, on both sides the question, to any gentleman who was not present; however many weighty reasons not here mentioned will readily occur to your Excellency.

[293]¹ Mass. Hist. Soc., *Collections*, seventh ser., II. 231.

² The half-pay measure adopted May 15. Cf. no. 287, 292, *ante*, 302, *post*.

If the inclosed Resolve is not the best measure the nature and circumstances of the case would admit, it is certainly the best that could be obtained.

Your Excellencies late correspondence with General Tryon meets with universal approbation.³

We have just receivd intelligence that North Carolina have acceded to the Articles of Confederation; if the delegates from New Hampshire should arrive with powers to ratify, which we hope will soon be the case, there is a prospect the Confederation may soon be compleated.⁴

Duplicates of the Treaties of Alliance and Commerce, with France, arrived here yesterday, and by the same packet we have advice that on the 20th of March Doc'r Franklin was formally receivd as Ambassador from these States at the Court of Versailles, and that his Most Christian Majesty had named an Ambassador to reside here.⁵

We are, with much esteem,

Your Excellencies obedient, humble servants,

ROGER SHERMAN.

SAM'EL HUNTINGTON.

OLIVER WOLCOTT.

294. SAMUEL HUNTINGTON TO JOSEPH TRUMBULL.¹

YORK TOWN 19th May 1778

Sir

I am favoured with yours of 29th ult. am sorry to say you are not like to obtain any money, Congress have adopted a rule not to pay out money to any gentleman any considerable time after he is out of Office; until his accounts are Settled, it was Urged in your Case, you was not Suppos'd in fault, that the accounts were not Settled, but in vain: they Strictly adhere to the rule in all Cases, hope therefore your accounts may soon be adjusted.²

³ In a letter of May 5 (read in Congress May 15), acknowledging Laurens's letter of Apr. 20, Trumbull wrote: "In Answer to the P. S. you will receive a News paper inclosed, which contains what passed on the Subject. Hope it will meet your approbation" (Papers Cont. Cong., no. 66, vol. I., f. 390). May 28 Trumbull transmitted copies of a subsequent correspondence between him and Tryon (*ibid.*, f. 394). Tryon had sent to Trumbull, May 21, the acts of Parliament, asking him to send them to Boston and the east, and had expressed the hope that they would meet with more confidence than the drafts of the bills. Trumbull's reply is dated May 25. See, further, the *Journals*, June 3, and no. 322, *post*.

⁴ See the *Journals*, May 18. Cf. no. 292, *ante*.

⁵ See nos. 287, note 6, 291, *ante*, and nos. 294, 295, *post*. George Bryan, vice-president of the Pennsylvania council, wrote to Washington May 23: "As it is apprehended here, that the Marquis de la Fayette has been nominated by the most Christian King, Ambassador to the United States of America, and that he may be expected shortly to pass thro' this borough in his way to Congress, it would highly oblige the Executive Council of this State, if some previous intimation of the time of his Lordship's Journey could be given by one of the Gentlemen of your Excellency's family, in order that due honour might be done to so respectable a personage by this State, as far as present circumstances may admit" (*Pa. Arch.*, first ser., VI. 546). Washington replied, May 28: "As yet I have had no official information of the Marquiss De La Fayette's appointment as ambassador from the Court of France to the United States of North America. But when I am advised of such an event, I shall take a pleasure in giving the Council previous notice of his departure from the army" (*ibid.*, VI. 558).

[294]¹ Conn. State Lib., Joseph Trumbull Papers, no. 169.

² See the *Journals*, May 15, 19.

We have Just receivd Intelligence that Doc'r Franklin on the 20th of March was formally receivd as Ambassador from these States at the Court of versailles and his most Christian Majesty had named an Ambassador from his Court to reside here.³

295. RICHARD HENRY LEE TO ARTHUR LEE.¹

YORK IN PEN. 19 May 1778

My dear Brother,

Your several favors by the Vessel from Spain with duplicates of the treaties with France are arrived and shall have my most particular attention.²

I am astonished at the [impudence]³ and [jugglery] of [Deane] and his [associates]. You may depend upon their being [carefully attended] to, and as I have found during the progress of this [contest] that the [offenders] have been uniformly [discredited] and [punished], so I have no doubt it will happen now. Persevere in [honest patriotism] and all will be well. [Patience] you know is one of the Cardinal virtues, and in this case [we ?] must soon give you [relief] since the late [recall] has broken the [faction].⁴ The members of Congress are so perpetually changing that it is of little use to give you their Names.⁵ Tis not worth while to mention others, you know them not and they are new Men.

296. THE BOARD OF WAR TO GEORGE WASHINGTON.¹

WAR OFFICE May 19, 1778.

Sir,

. . . . Congress have in contemplation an expedition against Detroit,² or at least into the Indian country, that they may strike at the root of the mischief. But should it be resolved on immediately, the necessary preparations cannot be completed till September; and until then, such a regular

³ Cf. nos. 291, 293, *ante*, 295, *post*.

[295]¹ Univ. of Va., Lee Papers, no. 190; *Letters* (ed. Ballagh), II. 408 (except passage in cipher).

² Cf. nos. 287, note 6, 291, 293, 294, *ante*.

³ The words in square brackets are written in cipher. See no. 268, *ante*.

⁴ On the other hand, Benjamin Harrison, in a letter to Robert Morris June 8 refers to the Lees as forming a "Cabal", which is "at present too powerful to afford us the least prospect of their removal" (Wharton, *Rev. Dipl. Corr.*, II. 607; N. Y. Hist. Soc., *Collections: Revolutionary Papers*, I. 436; Henkels, *Catalogue*, no. 1183, item 25). Cf. nos. 268, 280, *ante*, 330, 401, *post*.

⁵ Lee gives a list of most, though not all, of the principal members of Congress then or recently in attendance or whose credentials had been presented, but includes one (William Williams) who was not then a member. Cf. no. 242, note 8, *ante*.

[296]¹ Library of Congress, Letters to Washington, XCV. 5; *Pa. Arch.*, first ser., VI. 528.

² A resolution to undertake an expedition against Detroit was adopted June 11, in consequence of a report from a committee appointed May 6, on letters from the commissioners at Fort Pitt, Apr. 27. The expedition was abandoned July 25. With regard to the appointment of General McIntosh to command at Fort Pitt, see no. 282, *ante*.

force as we have mentioned, on the frontiers, appears to us indispensable.³

297. THE COMMITTEE OF FOREIGN AFFAIRS TO JESSE(?) BROWN.¹
[May 19, 1778.]

Instructions for the Express

*Mr Brown*²

Directions have been sent for one Vessel to be prepared in Connecticut, two in Massachusetts bay and one in New Hampshire:³ and you have packets marked A. B. C of great importance put under your care, which you are to carry with proper secrecy and dispatch, and to deliver according to the following directions.

³ The board transmitted to Washington a copy of a letter from Thomas Smith, written from Bedford, Pennsylvania, May 11 (see the *Journals*, May 18; also no. 289, *ante*), relative to the "distressed condition of the frontiers", indicating danger not only from the Indians, but also from the disaffected inhabitants, many of whom are "a wild ungovernable race, little less savage than their tawny neighbors; and by similar barbarities have in fact provoked them to revenge". The board suggested that Washington despatch a detachment of his army thither. A report of the board relative to conditions in western Pennsylvania is in the *Journals*, May 19. See *Pa. Arch.*, first ser., VI. 436, 438, 445, 447, 458, 459, 460, 467, 469, 478, 505, 506, 524, 526, 528, 530.

[297]¹ Library of Congress, Papers Cont. Cong., no. 79, vol. I., f. 232 (letter-book copy).

² This is presumed to have been Jesse Brown, who served as express messenger during several years, particularly between Connecticut and the seat of Congress. See the *Journals*, Oct. 21, 1777, Mar. 17, 22, July 3, 1779, Jan. 8, Mar. 23, 1780, July 10, 11, 1781.

³ The directions referred to were letters, May 5, from the marine committee to the commissioners of the navy board of the Eastern department at Boston to John Langdon, naval agent at Portsmouth, New Hampshire, and to Governor Trumbull of Connecticut. They are found in Paullin, *Out-Letters of the Marine Committee*, I. 234-235. Cf. no. 257, *ante*. The despatches to be conveyed were the ratification of the French treaties and the letters of May 14-16 to the commissioners at Paris. With the three several packets of despatches, the express messenger carried also letters from the committee of foreign affairs, bearing the date May 19, copies of which are in the Letter-Book, Papers Cont. Cong., no. 79, vol. I., ff. 230 *et seq.* That to Governor Trumbull is in Mass. Hist. Soc., *Collections*, seventh ser., II. 234. That to the council of Massachusetts is in *Letters of Richard Henry Lee* (ed. Ballagh), I. 407 (with the conjectural date May 15). The despatches were to be given in charge to "a trusty Captain, to deliver with his own hands to our Commissioners at Paris. Your wisdom will dictate pointed orders for conveying the Packets, without injury, with secrecy and dispatch, but for sinking them in case the Vessel should be unfortunately taken". Governor Trumbull sent his packet (presumably "A", the originals) by Capt. Robert Niles of the schooner *Spy*, May 29 (letter to the commissioners, in Am. Phil. Soc., Franklin Papers, IX. 199), and the Massachusetts council sent one of their packets by Capt. Corbin Barnes of the *Despatch*, June 9 (letter to the commissioners, *ibid.*, LIII. 68). The instructions from the navy board to Captain Barnes, June 8, are in the University of Pennsylvania, Franklin Papers, X. 45a; those from the Massachusetts council to Captain Barnes are *ibid.*, X. 45b. The despatches carried by Captain Niles were delivered to the commissioners July 8 or 9 (see Adams to Lovell, July 9, Wharton, *Rev. Dipl. Corr.*, II. 642, Franklin to Lovell, July 22, *ibid.*, p. 656, and Izard to Laurens, July 25, *ibid.*, p. 661). Franklin states in a letter to Governor Trumbull July 22 that Captain Niles had arrived after a passage of twenty-two days (Library of Congress, Franklin Papers). He was in Brest July 4 (Lieut. Thomas Simpson to Niles, July 4, Am. Phil. Soc., Franklin Papers, XLVII. 124). The ratifications were exchanged July 17 (Wharton, *Rev. Dipl. Corr.*, pp. 648, 650). Captain Barnes appears to have arrived July 25 (see Adams to Lovell, July 26, *ibid.*, p. 664; cf. the commissioners to the committee of foreign affairs July 29, *ibid.*, p. 672. Captains Niles and Barnes were both captured on the return voyage (Robert Grinnell to the commissioners Sept. 15, Am. Phil. Soc., Franklin Papers, XI. 144; Jonathan Williams to the commissioners Sept. 22, *ibid.*, XXXVII. 162; Niles to Franklin Oct. 27, *ibid.*, XII. 89).

If his Excellency Governor Trumbull has a Vessel quite ready, at your arrival there, you will deliver A to him. If he is but in expectation of having one ready shortly, leave B with him. If he has no prospect or only a distant one, carry all the packets to Boston where you are to leave A B with the honorable President of the Council, and to proceed with C to Portsmouth, where you are to deliver it to the Continental agent John Langdon Esq, taking receipts for each delivery. Should you convey from Connecticut only two sorts, deliver but one at Boston, unless both Vessels are ready or will be ready in the time that will be required for your proceeding to Portsmouth. Should you proceed to the last mentioned place, and find Col Langdon not prepared, you will let him know the state of the business at Boston and Connecticut, so that he may use his judgement about the keeping the packet for an opportunity of conveyance, or sending it back to one of the other two places.

298. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 20th, May 1778.

Sir,

I had this Morning the honor of receiving and presenting to Congress Your Excellency's favor of the 18th. which is Committed to the Committee on the Army.

Inclosed Your Excellency will receive extract of a Letter from General Sullivan of the 3d Inst. and an Order of Congress thereon.² Also one branch of the Army arrangement, which Congress Resolved this Morning, for establishing a Provost. the transmission of this detailed article arises from an opinion in Congress that the measure ought to be immediately carried into Execution.³

A proposition having been intimated for allowing subsistence Money to Officers in lieu of part of the customary Rations, this article and that of Pay are reserved as the last points for consideration.⁴ the present prospect induces me to believe the whole intended arrangement will be finished in the course of this Week, possibly to morrow.

[P. S.] Congress have adopted the Stile of the Treaties of Paris, "the United States of North America."⁵

His Excellency General Washington.

[298]¹ Library of Congress, Letters to Washington, XCII. 51; *ibid.*, President's Letter-Book, I. 328.

² See the *Journals*, May 20.

³ The complete army arrangement is found in the *Journals* under May 27. There is no indication in the *Journals* that the section establishing a provost was adopted May 20. See the *Journals*, May 18, 19, 20, 26, 27; also nos. 287, 288, *ante*, and nos. 299, 307, 314, *post*.

⁴ See the *Journals*, June 2, 6.

⁵ In a postscript to a letter to Gates May 19, Laurens says, "This morning improved our Stile. The United States of North America in conformity to the Treaties of Paris the 6th Febr'y" (N. Y. Hist. Soc., Gates Papers, XII.; Library of Congress, President's Letter-Book, I. 327); and there is a similar statement in a letter to Governor Clinton May 23 (*ibid.*, I. 332), "Congress have adopted the Stile introduced in the Treaties of Paris of the 6th Febr'y. 'the United States of North America'".

299. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

YORK TOWN 21st May 1778.

D'r Genl,

We are going on with the regimental Arrangements as fast as possible and I think the Day begins to appear with Respect to this Business. Had our Saviour addressed a Chapter to the Rulers of Mankind as he did many to the Subjects I am persuaded his Good Sense would have dictated this Text. Be not wise overmuch. Had the several Members which compose our multifarious Body been only wise enough Our Business would long since have been compleated. But our superior Abilities or the Desire of appearing to possess them lead us to such exquisite Tediousness of Debate that the most precious Moments pass unheeded away like vulgar Things.²

As to your Friend who hath thought proper to *demand* of you a Command, I did beleive from the first that his Resignation was like some former ones from the same Quarter meerly calculated to gain other Promotion or Favor or Revenge. I was therefore lead to expect that his Merits and our Misfortune in loosing him would become the Topick of Declamation and took the earliest Opportunity to express in the very strongest Terms my Satisfaction my Joy at the Receipt of the Letter from him and of Consequence to assign the Reasons why this Event gave me so much Pleasure. This gave a very different turn to Affairs. Panegyrick dwindled to Apology and no Opposition was made to the main Point of accepting his Resignation. The next Day I was informed that he did not intend to resign that his Letter was quite misunderstood etc. The Gentleman however had been so unlucky as to use the most pointed Terms and therefore his Aid from whom the Information came was told that the Observations he made came too late. I am persuaded that he will attempt to get reinstated if the least Probability of success appears but I am equally persuaded that his Attempts will fail. I believe his Friends are hitherto of the same Opinion and therefore we have as yet had no attempts made in Congress and possibly we never shall³

No specific resolve to this effect is recorded, but in determining (May 19) the form of bills of exchange to be drawn on the commissioners in Paris that designation was adopted. However, on July 11 it was resolved to omit the word "North" from these bills of exchange (see no. 399, *post*). The reversion to the original style was probably due to the recollection that the name used in the Declaration of Independence and definitely incorporated in the Articles of Confederation was "The United States of America". A note by this editor on "The Name 'United States of America'" may be found in *Am. Hist. Rev.*, vol. XXXI. 79 (Oct., 1925). A related study, by Mr. John C. Fitzpatrick, is "The 'United States of America' and the 'U. S. A.'", in *Daughters of the American Revolution Magazine*, LIV. 17, and in his volume of essays, *The Spirit of the Revolution*.

[299]¹ Library of Congress, Letters to Washington, XXIII. 178; Sparks, *Life of Gouverneur Morris*, I. 167.

² The arrangement was completed May 27. Cf. nos. 287, 288, 292, 293, 298, *ante*, 307, 314, *post*.

³ The allusion is to Conway. See the *Journals*, Apr. 28, and no. 242, *ante*. Cf. nos. 317, 319, 320, *post*. Morris is replying to a letter from Washington May 18 (*Writings*, ed. Ford, VII. 16, ed. Sparks, V. 370; Sparks, *Life of Gouverneur Morris*, I. 166).

I wish you would contrive to get the necessary Returns from Maryland Troops and others who have not made them so as that the arrangement may take Place as soon as possible

300. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

YORK TOWN Saturday Morning
23d May [1778.]

Dear General,

. . . . Congress having determined on the Affair of the Prisoners, and (in my opinion wisely) dropt for the present all Mention of Citizens; you will probably be enabled to negotiate a Cartel.²

301. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 25 May 1778.

Sir,

My last to Your Excellency was under the 21st by Wilkinson.

Doctor Scudder on his return to New Jersey is so obliging as to take charge of this, and also of a Packet containing 100 Copies of an Act of Congress, half of these in En[g]lish and the other half in German, Recommending to the several States to exempt from Militia duty and to disqualify for acting as Substitutes all Prisoners and Deserters from the British Army and Navy during the present War. Congress apprehend that a proper dispersion of these Acts in the Neighborhood of the Camp and even in the Enemy's Garrison if practicable, will produce good effects. more of these shall be sent upon the first intimation from Your Excellency.²

302. JAMES LOVELL TO WILLIAM WHIPPLE.¹

YORK TOWN May 25th, 1778

Dear Sir

. . . . General Folsom and Commodore Frost² are I hope safely arrived. They can tell you a long story about an half pay establishment

[300]¹ Library of Congress, Letters to Washington, XXIII. 195; Harvard Univ. Lib., Sparks MSS., no. 52, vol. III., f. 252.

² See the *Journals*, May 21. Cf. nos. 139, 188, 202, 233, 235, *ante*.

[301]¹ Library of Congress, Letters to Washington, XCII. 58; *ibid.*, President's Letter-Book, I. 335.

² See the *Journals*, May 22; also the Bibliographical Notes, *ibid.*, XII. 1286. Cf. *ibid.*, Feb. 26, Mar. 13, 26, Apr. 23, 29. Laurens had sent the act on the day of its passage, May 22, to Francis Bailey, at Lancaster, asking him to print 500 copies "in hand Bills in pure German". Copies both in English and in German were sent to most of the governors (also to General Heath) within the next two or three days, accompanied by similar comment on the act. Those to Governor Clinton were enclosed with a letter dated May 23 (President's Letter-Book, I. 332). On the question of the enlistment of deserters and prisoners, see Washington's letter to Jeremiah Powell, president of the Massachusetts council, May 19 (*Writings*, ed. Sparks, V. 375); also nos. 311, 324, 325, *post*.

[302]¹ Library of Congress, Force Trans., Whipple, p. 489.

² George Frost had followed the sea for some twenty years and had been captain of a merchant vessel. The title "Commodore" here applied to him was doubtless one of courtesy only.

it's origin, progress and impediments till they left this place. After being carried, barely, for life, it was by an effort made redeemable at six year's purchase and after a while, made absolute by a sort of common consent, for 7 years. 11 States were unanimous. Only Genl W of Connecticut and myself were nay, of individuals.³ I hope as it has passed that the people will be reconciled to it. None out of Congress can sufficiently know the *necessity* though they may judge as well as we about the justice and feel the *impropriety*. . . .

303. HENRY LAURENS TO BARON STEUBEN.¹

YORK TOWN 25th May 1778.

Dear Sir,

I had the honor of writing to you the 11th Inst. by Colo. Gimad which remains unacknowledged although I have since received your favors of the 16th and 21st. the former I presented to Congress² the latter lies before me.

There is so great a reluctance in Congress to listen to applications for New Commissions, until the arrangement of the Army is completed, I had judged it best to wait that event before I introduced the name of Monsr. L'Enfant, but seeing you so pressingly desire it, I will apply to morrow Morning. If we succeed, you will have gained a preference to Marquis de la Fayette and to Your humble Servant. the Marquis has long since applied in favour of Colo. Armand and Officers in his intended Corps, and I, for a Brigadier's Commission which has been due to my own State upward of three Months. both have been postponed. you shall hear from me on this head after to morrow's adjournment.³ I shall prevail on some of my friends to move for ordering two good Horses to be purchased for Baron Stüben; in this attempt, I flatter myself we shall not fail.⁴ every Gentleman appears possessed of a proper sense Sir, of your Merit, and I am persuaded Congress are disposed to testify their acknowledgements. . . .

304. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO JOHN STARK.¹

25 May [1778.]

Sir

Your favor of the 20th April did not reach me till the 12th Inst. when I immediately presented it to Congress, and received directions to inform

³ The reference is to the vote of May 15, in which the only nays were Lovell and Wolcott. See nos. 287, 288, 292, 293, 298, 299, *ante*, 307, 314, *post*.

[303]¹ N. Y. Hist. Soc., Steuben Papers, I.; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 139; Harvard Univ. Lib., Sparks MSS., XV. 76.

² See the *Journals*, May 20.

³ In regard to L'Enfant, see no. 309, *post*. Concerning Armand, see no. 288, note 2, *ante*, and the *Journals*, June 25; also Duane to Washington Jan. 29, 1779, in the next volume of these *Letters*.

⁴ See the *Journals*, May 26, and no. 309, *post*.

[304]¹ Library of Congress, President's Letter-Book, I. 336. Addressed to Brigadier-General Stark, Fish Kill.

you that it has not been the practice of Congress to grant Commissions to Brigade Majors, that therefore the further consideration of your application requesting a Commission for your Son Majr. Caleb Stark must be suspended until the arrangement of the Army which is now a subject of deliberation before the House be completed; if it shall be determined to grant such Commissions Mr. Stark will undoubtedly receive one. hitherto Brigade Major has been appointed by the Commander in Chief or the Commander in a separate department. I apprehend therefore an appointment or confirmation of appointment by the Honble. Major Genl. Gates will entitle Major Starke to the usual Rank and emoluments.²

305. SAMUEL ADAMS TO JAMES WARREN.¹

YORK TOWN May 25, 1778.

My dear Sir,

Your favor by Capt. Colter² overtook me on the Road; agreeably to your Request I immediately on my Arrival here mentiond to a Gentleman of the Marine Committee the Necessity and Importance of keeping your Board duly supplyd with Cash to enable you effectually to do the Duty of your Department, and was told that 50 m Dollars had been lately remitted to you.³ I will not fail to do what in me lies to forward that Service, as our Navy has always lain near my Heart. . . .

I recollect that your Election of Councillors will come on the Day after tomorrow. Has Mr. ⁴waited for the Event of that important Day? or is he on his Journey to this Place? It is a Matter of so much uncertainty here, that Nothing, I suppose prevents many Wagers being laid upon it, but its being not of so much Moment as some others. Was he present here, he might, if he pleased, vindicate me against a Report which has given Occasion to my Friends to rally me, that I have been called to Account and severely reprehended at a Boston Town Meeting for being

² See the *Journals*, May 13, 19 (p. 509).

[305]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 209; *Warren-Adams Letters*, II. 11.

² Doubtless Capt. Harmon Courter. See no. 287, note 6, *ante*. The letter brought by Courter was probably that dated May 8, in *Warren-Adams Letters*, II. 8.

³ An order for \$50,000 for the use of the navy board at Boston is recorded in the *Journals* as having been passed May 23, two days after Adams's arrival in Congress, and at a time when Adams appears to have been present. The only other recent appropriation for that board was \$100,000, Apr. 4. As this sum was in three separate warrants of \$40,000, \$30,000, and \$30,000, it is not likely that the remittance referred to was a part of the latter appropriation.

⁴ Hancock. In a postscript to the letter of May 8 (see note 2, above) Warren wrote, "Mr. Hancock talks of going in a day or two". May 31 he wrote: "Doctr Holton is waiting for General Hancock, who I hear took a pompous Leave of the House Yesterday by going up and shakeing Hands with the Speaker, etc., after moving for leave to return soon if his health would not admit of his Tarrying long. I suppose a Cavalcade will attend him, Subscriptions for that purpose having been Circulated for a week. I believe he will go Tomorrow. you will provide for his reception as you think fit" (*Warren-Adams Letters*, II. 13). To John Adams he wrote, June 7: "The Great Man Tarried here till after Election, and then went off with the Pomp and retinue of an Eastern Prince" (*ibid.*, p. 20). Cf. nos. 362, 396, 409, 410, 518, *post*.

in a Conspiracy against a very great Man.⁵ You know how little I care for such Rumours. It is easy for me to conjecture by what Means it extended it self from Manheim, where I first heard it, to York Town; and it may not be difficult to guess how it came from Boston to that Place. Manheim is about 12 Miles East of the Susquehanna; there lives Mr. R. M.,⁶ a very intimate Acquaintance of my excellent Friend. Mr. H. is said to be on the Road, but no one makes it *certain*. When he arrives Messrs. Gerry and Dana propose to set off for N. England. I shall be mortified at their leaving us, for I verily think that the Accession even of *that* Gentleman will not make up for the Absence of the other two.

I am happy to find C⁷ in perfect good humour and attentive to Business, though so hard put to it in this place, as hardly to have a Room a peice, in which to write a Letter to a Friend. It brings to my Mind the Circumstances and Temper of the old Deputies who sat down under a Tree to eat their Bread and Cheese. This is the Kind of Men who are the Terror of Tyrants. I hope I shall shortly be able to write you something of Importance, from the Army at least. In the meantime *Vale at me ama*.

306. JOSIAH BARTLETT TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

YORK TOWN May the 27th, 1778.

Hond. Sir

. . . . The Confederacy is not yet ratified, North Carolina being unrepresented and two or three of the other States not having impowered their Delegates to Confirm it; It is the opinion here that it will be Universally agreed to.²

307. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

IN CONGRESS 27th May 1778.

Dear General.

I have a Word to say to you upon the Subject of Promotion which we have just now finished or rather unfinished at least if that Matter was before in an unfinished Situation. That famous incomprehensible Baltimore Resolution (unluckily perhaps) introduced a very tedious Debate which terminated at Length by rejecting the whole of what the Committee

⁵ Evidently Washington is meant. Adams wrote to an unknown correspondent Oct. 26, "I have heard that my Enmity to G. W. was objected agt me on a late Occasion" (*Writings*, IV. 83); and Mar. 23, 1779, he wrote to Warren: "Last year, as you observe, I was an Enemy to General Washington. This was said to render me odious to the People. The Man who fabricated the Charge did not believe it himself" (*ibid.*, IV. 140). See also nos. 602, 635, *post*.

⁶ Robert Morris.

⁷ Congress.

[306]¹ Mass. Hist. Soc., C 81A 32; Library of Congress, Force Trans., Weare, p. 108.

² Cf. nos. 243, 292, 293, *ante*, and nos. 336, 339, 367, *post*.

[307]¹ Library of Congress, Letters to Washington, XXIII. 239; *Letters to Washington* (ed. Sparks), II. 129; Sparks, *Life of Gouverneur Morris*, I. 170 (except the addition of May 28).

reported with relation to the Promoting of Officers.² You may be a little surprised when I tell you that upon the whole matter I believe this is best. But how? It is true I confess that much Ground of Heartburning is left under the Baltimore Resolution governing these matters by the misterious trinity of *Seniority Merit and Quota*. Let me however on the other Hand observe that to tie up the Hands of the Republic as to the Officers whom they are to appoint is utterly inconsistent with the republican Principles of Government which ought to prevail among us. No Danger it is true can arise at present but my Dear Sir we are laying Foundations and how posterity in future Wars may build on the Foundations laid by Ancestors whom they will certainly reverence no Man can be hardy enough to assert. What then you will say is the Effect of the new Rule? In my poor Opinion it is no Rule. What then is the use of the Resolution? Nothing more than an Apology for Officers whom it may be found necessary to supersede. Congress in Effect seem to have pledged themselves to their Constituents that they will pay a due attention to the Quota of Troops furnished by the States respectively, to the seniority of the Several Officers, and to that Degree of military Abilities which Nature or Industry may have conferred upon deserving Individuals. You ask me what is to be the Rule of Promotion below the Degree of a General Officer. I answer that Congress could not with propriety make any Rule. They have given to the States the Power of appointing the Officers in their own Regiments. of Consequence therefore it would be idle to restrict them as to the persons whom they shall appoint. It will therefore be necessary to make Application to the several States on the occasion. They have already I believe in most Instances given you the necessary Power and if so then to fix the Order of Promotion will be only a Limitation of such Power. What are my Ideas on the Occasion you will see by the Letter I enclose directed to Governor Clinton which you will do me the Honor to transmit to him.

I am Dr General most sincerely yours

GOUVR. MORRIS

YORK TOWN 28th May.

We are going on with the Arrangement of the Army with charming rapidity after a long Stop. a very little Time will I hope compleat it.³ I hear you expect soon to be in Philadelphia. In my Opinion the Instant the Enemy Evacuate it the best Disciplined Troops in the Army should be marched in and the several Inhabitants ordered on Pain of military Execution to confine themselves to their Houses. Proper Persons should then be sent to the several Stores to make out Lists of the Goods contained in them. From these Lists you should mark the Articles which may be necessary for the Army the Hospital and the like. The next Step should

² See the *Journals*, May 27; cf. the report printed in an appendix to the *Journals*, XII. 1269 (probably that presented by the committee, May 18). See also the *Journals*, Nov. 24, 1778. The Baltimore resolution to which Morris alludes was that of Feb. 19, 1777. See these *Letters*, vol. II., nos. 363-365. Cf. the *Journals*, May 10, Dec. 27, 1776, and July 17, 1777. See also a committee report in the *Journals*, May 11, 1779. Cf. nos. 288, note 4, 298, 299, *ante*, and no. 314, *post*.

³ See the *Journals*, May 29, June 4.

be to levy a Contribution of at least £100.000 Stg. in hard Money which ought to be apportioned upon the Inhabitants according to their wealth and disaffection. They may then be permitted to go about their usual Occupations. But the Quarter Master should take proper Stores and therein lodge under Guard the Articles by you marked and Receipts should be by him given at the Rate such Goods Sold immediately before the Evacuation and duplicates of such Receipts forthwith transmitted to the Treasury Board. The Propriety of these Steps I will not dilate upon. But should they be pursued I think the most beneficial Consequences would accrue to the public.⁴

I am once more Yours
GOUVR. MORRIS

308. HENRY LAURENS TO PHILIP SCHUYLER.¹

28th May [1778.]

Sir,

The day before yesterday I had the honor of receiving and presenting to Congress your favors of the 9th and 11th Inst. together with Copy of the Message from the Oneida, which were immediately committed to the Board of War a Report from thence has not yet come up and I remain without commands from the House. You will therefore Sir do me the honor to receive this as private, which I dispatch partly to gratify your Messenger who discovers much anxiety to return, but principally from a feeling of my own, a repugnance to delay and holding coadjutors, in the service of my Country, in suspense when 'tis in my power by any decent means to relieve them. . . .

Permit me Sir, to congratulate with you on your Reelection to Congress. Self Intrest as well as love of Country prompt my wishes for your appearance. . . .

I must not conclude, however troublesome I may have already been, without intimating, that Mr. Drayton yesterday shewed me some parts of an intended Report on the Ticonderoga affair, hence I expect that business will be speedily brought on the Carpet and finished.² . . .

309. HENRY LAURENS TO BARON STEUBEN.¹

29th May [1778.]

Dear Sir,

Just as I had predicted when I had the honor of writing to you by Doctor Scudder the 25th so it happened. the next Morning I presented your Letter to Congress. a Motion was presently made to postpone the consideration of granting a Commission to Monsr. L'Enfant until the

⁴ See Washington's letter to Congress May 31, in *Writings* (ed. Sparks), V. 393; also the *Journals*, June 2, 3, 4, and nos. 317, 323, 328, 332, *post*.

[308]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 142. The letter is addressed to Schuyler at Fish Kill "by Mr. Scous".

² See the *Journals*, May 26, June 3, 9, 11, 12, 20, and nos. 330, 338, 369, *post*. Cf. nos. 181, note 4, 232, 243, *ante*.

[309]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 144.

Army arrangements shall be completed and so it passed.² I then informed the House, I had heard the Baron Stüben, who went through much Duty in Camp, was reduced to the necessity often of walking on foot from a want of a good Horse. an order immediately took place that the Quarter Master General provide two good Horses for the use of Baron Stüben, and by this conveyance I shall transmit the order.³

I conceive Sir, your Certificate hereafter of the usefulness of Monsr. L'Enfant in the Army will entitle him to pay and Rations but I cannot hazard even a conjecture concerning a Commission until the arrangement is completed. this I hope will be in a few days. . . .

310. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

29 May, [1778.]

My dear Marquis,

. . . . I consulted Colo. R. H. Lee on the propriety of presenting your Excellency's other Letter to Congress. he advises, not for the present, for reasons which when we have further conversation on the subject shall be communicated to your Excellency.²

311. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO WILLIAM AUGUSTUS ATLEE.¹

29 May [1778.]

Sir

I received by the hand of Count de Montfort² your favor of the 26th. after some conversation with that Gentleman he took leave fully convinced that his attempts to enlist prisoners of War had been contrary to the Resolution of Congress under which he was authorized to Act your opposition was consequently well founded and your conduct commendable.³

² See no. 303, *ante*. The *Journals* contain no record at this time of any action of Congress relative to L'Enfant. He was made a captain Apr. 3, 1779.

³ See no. 303, *ante*, and the *Journals*, May 26. As long ago as Apr. 18 John Laurens had suggested to his father that Congress might appropriately present Baron Steuben with an elegant saddle horse (*Army Correspondence*, p. 160).

[310]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 146.

² The letter of Lafayette to which Laurens here alludes was doubtless that dated May 25, in *S. C. Hist. and Geneal. Mag.*, VIII. 130. In that letter Lafayette says: "I have the honor to send you a paquet for Congress which I beg you would examine and afterwards communicate to them—this scheme calculated upon some ideas of mine seem to me of an high moment for the united states", etc. It appears from subsequent letters that the project proposed was some sort of combined French and American attack upon the British in the West Indies. See nos. 313, 361, *post*.

[311]¹ Library of Congress, President's Letter-Book, I. 343.

² Count Julius de Montfort was appointed major in Pulaski's corps Apr. 18.

³ See the *Journals*, Feb. 26, Mar. 13, 28, May 22. Cf. nos. 177, 276, 288, 301, *ante*. The board of war wrote to Atlee (deputy commissary of prisoners at Lancaster) and other commissaries of prisoners May 27: "Altho 'tis prohibited to inlist prisoners or deserters into the Common battalions; yet tis understood that for the purpose of Completing Genl. Pulaski's independent Corps he should be permitted to inlist both" (Library of Congress, Papers Cont. Cong., no. 78, vol. I., f. 177). The board then proceeds to instruct Atlee to facilitate the enlistments, with certain exceptions. Atlee replied to this letter of Laurens June 2: "I am happy in the approbation of Congress;

312. DANIEL ROBERDEAU TO THE ACTING PRESIDENT OF PENNSYLVANIA
(GEORGE BRYAN).¹

YORK, May 30 1778

Sir,

Mr. Robert Craig, a commissioner of Cloathing, appointed, as he informs, by this State,² applied to the Board of War and the Board to Congress on his behalf thro the Dellegates of this State for a supply of Cash for his Department, on a Representation that he had expended Twenty thousand pounds, and could not perform the duties of his Office with a less Sum than Ten thousand pounds. This affair came into Congress in so vague a manner from a representation that our Treasury was exhausted, therefore the Requisition was made to Congress, without Mr. Craig's having it in his power to produce an Inventory or inform where the Goods were deposited, but in general that they were in the hands of a number of reputable people in the County of Lancaster. from these Considerations, and plainly seeing that Congress would not comply with any such request, but through the State immediately or the Dellegates thereof, I withdrew the application to have an opportunity to inform you, as also that I have not the least doubt but Congress would most readily advance the State for the Clothiers Department on a proper application as above.³

313. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

31 May, [1778.]

Dear Sir,

. . . . from the remarks in your Excellency's present Letter I am not displeased with the late determination to withhold that which relates to a West India enterprize. when I catch Colo. R. H. Lee half an hour at leisure we will endeavour to produce from the two, a proper representation, as from Your Excellency, to Congress.²

but from the tenor of your Letter, fear I have since that acted contrary to their sentiments. The Count on the 29th of last Month on his return from York brought me a letter from the War office dated the 27th (of which the inclosed is a Copy) directing me to suffer Genl. Pulaski's officers to recruit such of the Hessian Prisoners as are not Shoemakers or Tailors, who are not married in Europe, nor have wives in the Enemy's possession—and desiring me to facilitate their enlistment as far as in my power. This letter being brought by the Count, I concluded Congress had referred the matter to the Board of War and that it contained all the answer I had to expect to my Letter to you. I therefore, in obedience to it, not only encouraged the Hessians to enlist, but gave the Count a certified Copy of it, that he might meet with no opposition from the Commissaries of Prisoners in other places" (*ibid.*, f. 173). See nos. 324, 325, *post*, and *cf.* the *Journals*, June 25, Sept. 29, Nov. 24.

[312]¹ Hist. Soc. of Pa., Dreer Coll.; *Pa. Arch.*, first ser., VI. 567.

² See a letter from Craig to the council of safety Nov. 27, 1777, in *Pa. Arch.*, first ser., VI. 41.

³ See no. 328, *post*.

[313]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 151.

² See no. 310, *ante*. The letter of Lafayette here referred to is probably one written between May 25 and June 1, which has not been found. In a letter of June 1 (*S. C. Hist. and Geneal. Mag.*, VIII. 181), Lafayette says: "Whatever you think proper, my dear Sir, I heartily approve, therefore I have no objections to your keeping my west indian proposition as long as you please." See no. 361, *post*.

314. WILLIAM ELLERY TO WILLIAM WHIPPLE.¹

YORK TOWN May 31st 1778.

My Dear Sir,

. . . . France hath been disposed to enter into an alliance with us and upon terms of equality and reciprocity, herein discovering a magnanimity worthy of the most *Christian* King. We have illuminations and fired our *feu de joie* on this occasion, and it is already become an old story. We are now looking out for further alliances and commissioners from Britain to treat with us. We have not as yet heard that war was declared between France and Britain. It will be inevitable unless Britain can bring down her proud stomache to relish sound policy, to acknowledge our Independency, and make peace with us. Whether the haughty insolent Thane can stoop to this or not you are a good judge. I should with you, perhaps, have been willing that France should have continued in her usual way to have supported us, had not I in contemplation the divesting of Britain of every foot of land upon this Continent. I think it absolutely necessary to a future, lasting peace that we should be possessed of Canada, Nova Scotia and the Floridas, which we cannot so well effect without the open assistance of France.

Your plan for a Navy is approved excepting that part of it which proposes the turning of the 74 gun ships into frigates which Mr. Landais, whom the Committee imagine is a very good judge thinks would not do. He hath proposed that they should be constructed to carry only two batteries; the lower battery to consist of twenty eight 24 pounders and the upper one of as many 18 pounders. In this way he says that the 56 gun ship will make as good a battle as a 74, be stronger, sail faster, take less men, be built quicker and be much cheaper. The Committee have laid his scheme before Congress: it was approved and I suppose the Committee will direct Mr Langdon to pursue the building of the intended 74 on Landais plan.²

Congress have lately passed a resolution punishing cowardice with death. A little Bynging³ would be of infinite service. Capt. Thompson is suspended, and Barre⁴ appointed to the Command of the *Raleigh*; and it is proposed that the *Warren* and *Raleigh* should sail on a cruize in Com-

[314]¹ Library of Congress, Force Trans., Whipple, p. 491; Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., p. 207½ (copy of part); N. Y. Pub. Lib., Bancroft Coll., Langdon-Elwyn Papers (copy of part).

² See the *Journals*, May 29; cf. no. 317, *post*.

³ The allusion is to Admiral John Byng, who was court-martialed and shot, Mar. 14, 1757, for his conduct in the action at Minorca May 20, 1756, which lost the island to the French. Cf. the expression of John Adams in the letter to his wife Aug. 19, 1777 (vol. II., no. 597), "I think we shall never defend a post until we shoot a general".

⁴ Capt. John Barry. The marine committee's letter to Barry informing him of his appointment and giving him his instructions, dated May 30, is in Paullin, *Out-Letters of the Marine Committee*, I. 250. In the letter to the navy board of the Eastern department, of the same date (*ibid.*), the committee remark: "This will be handed you by Captain John Barry whom we have appointed to Command the Frigate *Raleigh*. He is a brave active officer and we doubt not you will find him very attentive to his duty." See no. 316, *post*.

pany. The commanders of those ships, are brave men and I dare say will not loose their ships through Cowardice.⁵

New Hampshire is at last represented ; but the representation came too late. The Resolve, respecting half pay, had passed by a majority of one State only. If N. H. had been present, Congress would have been divided. It first passed for life ; but the majority being as small as possible, agreed to a kind of coalition, and it was finally resolved that the military commissioned officers who should continue in the service to the end of the war should be entitled to half pay for seven years.⁶ The opposition which I think was justly made to the half pay establishment hath retarded the arrangement of the army so long that I am afraid it will not take place until next winter. It is proposed to reduce the battalions to 88 which will of course reduce the number of officers, and lessen the quantum of half pay. The Number of Battalions will continue to be reduced as vacancies of officers shall happen by death or resignation.⁷

The argument you draw from the confederation was urged against the establishment and every method taken to get it to the States, but N. H. was not represented and so the minority failed, or rather there was a majority against referring it to the States.⁸ Some consideration ought certainly to be made to the brave officers who should continue in the service to the end of the war, on account of depreciation and the hardship they have and may endure, and the risk they have and may run of health and life. Taken up in this light, perhaps three and half year's pay may not be too much. . . .

315. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

1st June 1778.

Dear Sir,

My last to your Excellency of the 14th Ult. went by Messenger Sharp.²

The Committee to whom your Excellency's Letters of the 13th and 18th April had been referred having made their Report to Congress the inclosed Act of the 29th Ult. was thereupon produced to which I beg leave to refer.

Congress are truly Sensible of the necessity of marking a limit to the Military in every State. be this as it may, from the tenor of a Resolve, in an Act which I am to transmit to Georgia there appears to me an opening for disputes between the Executive of a State and the officer commanding the Troops in such a State. even in cases where the Salvation of the State may be at hazard, a capricious, or a Sensible Officer, according to my interpretation may under sanction of this Resolve, withdraw every Troop from a State whenever he shall judge it proper to do so, notwithstanding a

⁵ The proceedings of the courts-martial on Captains John Manley and Thomas Thompson were laid before Congress Aug. 5. See Paullin, *Out-Letters*, I. 238, 242, 252, 271, 280; also I. J. Greenwood, *Captain John Manley*.

⁶ See the *Journals*, May 15, and no. 302, *ante*.

⁷ See nos. 288, 298, 299, 307, *ante*.

⁸ The reference is to the vote of May 13 (*Journals*, pp. 495-496). Cf. no. 202, *ante*.

[315]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 157.

² The reference is to an official letter of May 14. See the private letter of May 17, no. 287, *ante*.

former restriction.*⁸ at best it will encourage dispute. being restrained within my own Sphere of Duty when this was offered I could do no more than intimate in private my own feelings to one of my Colleagues and to the Member who had framed the Act.

As these Gentlemen received no impressions from my remarks, I therefore doubt the force of them. nevertheless as I cannot divest my mind of its original Ideas on the subject, I take the liberty of submitting my opinion to your Excellency.

The Resolve in general, concerns the whole Union and may particularly affect the State of South Carolina. I shall therefore subjoin a Copy for the information of Your Excellency and the Executive of the State.⁴

A Commanding Officer as a little reflexion will shew, may shield himself in almost every Case by unanimity of voices in a Council of War and by means which have sometimes been practiced and which may again be adopted.

Under this Resolution I conceive every Garrison may be stripped, if not of all, of the best Men by a Commander of Troops whenever he shall determine the propriety of a distant expedition. the want of access to a Military Chest may be some check, but if there be danger in the power adventitious Checks I humbly apprehend cannot safely be relied on for preventing the exercise. I acknowledge I have not time at this Instant for examining and comparing the former Resolve alluded to above,*⁵ as I remember the General or Commander cannot march out of our State more than $\frac{1}{3}$ d of the Troops without order of Congress or consent of the president. if this be all he can do now, why this new and general Resolve Your Excellency will judge and you will be pleased to receive this from me as a private and pardon me for making it the vehicle of the public Act first mentioned.

316. SAMUEL ADAMS TO JAMES WARREN.¹

YORK TOWN, June 1, 1778.

My dear Sir,

. . . . Congress has been pleas'd to put me on the Marine Committee.² I mention this to you, in hopes that I shall have the Pleasure of receiving your Letters the oftener on that Account, and particularly on the Subject of the Navy, which I will use my utmost Endeavours to build up.³ The

⁸ The asterisk is in the original, and serves to designate the passage referred to near the end of the selection ("the former resolve alluded to above *"). See note 5, below.

⁴ The omitted passage is the first of the resolves passed May 29 (*Journals*, pp. 553-554) upon the letters of Gov. John Houstoun of Georgia and Gen. Robert Howe. Houstoun's letter, dated Mar. 20, was read May 25. No letter of Howe is mentioned in connection with Houstoun's letter until the committee makes its report. Similarly, no letter of Howe is mentioned when the letters of Governor Lowndes and General Moultrie are referred to a committee (May 14), yet there is mention of such a letter or letters in connection with the committee's report (May 26, 29). Cf. nos. 287, 290, *ante*.

⁵ See note 3, above. The restriction to which Laurens refers is contained in the resolve concerning the South Carolina battalions, June 18, 1776 (*Journals*, V. 462). Cf. no. 220, note 4, *ante*.

[316]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 209; *Warren-Adams Letters*, II. 15.

² May 27.

³ See no. 305, *ante*.

Committee have orderd a Letter to your Board by this Post.⁴ Capt. Burk⁵ is to have the Command of the *Resistance* which may be a Step to further Promotion hereafter. The french Gentleman⁶ who was *fed with Promises* at Boston and afterwards substantially reliev'd by you is highly esteem'd by this Committee, and will be rewarded and employed, and Capt. Peck⁷ is not unnoticed. The new Frigate at Salisbury, though before christened by another Name, has that of the *Alliance* given to her by the Committee.⁸ This Letter I intended to have finish'd and forwarded by the Post, this Morning, (June 2) but was prevented. Capt. Barry who is to take the Command of the *Raughley*⁹ will deliver it to you. I am apprehensive for our Friend Mr. J. A. who if I mistake not had sail'd 7 Weeks when the last Vessel left Nantz. The Bearer is in Haste. Adieu.

317. HENRY LAURENS TO JOHN RUTLEDGE.¹

3d June 1778

Dear Sir,

. . . . We have before us in Congress a plan for extending Commissioners and friendly commercial Treaties at the Courts of Lisbon, Hague, Stockholm, Copenhagen and St. Petersburg. two whole days the subject has been upon the Anvil and very laboriously hammered.² I have had the presumption to wish myself on the floor once or twice, from an opinion that even the little commercial knowledge I am possessed of might have struck light. There is not a Merchant present, and not a Book in Town to assist a speculatist, but there's another obstacle to dispatch in this point, which as a Silent Spectator and auditor I can see pretty clearly and half understand—a plurality of Officers partly established and further aimed at.

⁴ The letter, dated May 30, is in Paullin, *Out-Letters of the Marine Committee*, I. 250. One paragraph of that letter reads:

"It was certainly out of the Line of your Department to have the receiving and storeing of Capt[a]in Greens cargo of Clothing and Stores—that was the business of the Continental Agent, who in the delivery thereof should be governed by the Orders of Congress, the Board of War or the Committee of Congress agreeably to the enclosed Resolve of Congress dated the 28th Current which we send to prevent your taking unnecessary trouble in future."

⁵ Capt. William Bourke. See *ibid.*, p. 251. In a postscript to a letter to John Bradford Apr. 28 (*ibid.*, p. 232) the marine committee say, "Inclosed is a Resolve of Congress of this date appointing William Burke a Captain in the Navy". The postscript should no doubt have been dated May 1, as that is the date of the appointment as recorded in the *Journals*, and the correctness of the latter is indicated by the fact that the resolve was based on a memorial of Bourke dated Apr. 30. See, further, the *Journals*, June 19, Sept. 28; also Paullin, *Out-Letters*, I. 287-289, II. 2. Cf. no. 440, *post*.

⁶ Capt. Pierre Landais. See no. 314, *ante*, and nos. 317, 362, 366, *post*.

⁷ Capt. John Peck of Plymouth (see *Warren-Adams Letters*, II. 305). He had been recommended as a skilled designer of vessels. See Paullin, *Out-Letters*, I. 253, 272, 279, II. 54, 84.

⁸ See the *Journals*, May 29; also no. 440, *post*. In the letter of May 30 referred to in note 4, above, the marine committee remark: "The Printers were premature in naming the New ship at Salisbury. The Congress have resolved that she be called the *Alliance*."

⁹ The *Raleigh*. See no. 314, *ante*. In his reply June 26, as also in his letters of June 28 and July 5 (*Warren-Adams Letters*, II. 24, 27, 30), Warren discusses further the several naval questions of which Adams here speaks.

[317]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 160.

² See the *Journals*, Apr. 21, 30, May 1, 7, 16, 28, June 1, 2. Cf. nos. 272-275, *ante*.

One of the Ministers at Versailles *³ who is Minister at Madrid, is tendered as the proper person to treat with Lisbon. the Minister intended, if practicable, for Berlin and Vienna it is proposed Should negotiate with the Northern Courts; hence those minds disposed to assign a Minister to a Court and no more, are embarrassed. here a kind of delicacy, mark'd in my plain vocabulary, "false" restrains them from speaking out. hitherto therefore the contest has been confined to advanced guards and now and then upon the flanks. if it became me, I should be very apt to carry arguments home by the shortest inoffensive course. in my present situation, however important the point, I do not see my duty in interposition either within or out of Doors. the subject which has cost already two very precious days, will probably be postponed the third and possibly a very necessary measure too long delayed because some of us are not inclined to conduct it properly.

Captn. Landais a skillful Sea Officer has prevailed upon us to reduce in Stile the 74 Gun Ship which had been intended at Portsmouth. his plan which we have adopted, is to lay two Decks only; to mount on the lower 28-24 and on the upper 28-18 pounders. the building will be much less expensive, the Vessel sail faster, and be of equal force with 450, instead of 600 Men and now the workmen who had been taken off will be ordered to proceed.⁴

I am thinking very seriously of an enterprize against the place where you and I Sir once Sent John Burnet. we may if the British Troops should withdraw and not pay Charles Town too serious a visit, obtain proper Officers and Men for beginning the operation the 1st Novemb., the most proper Month in the twelve.⁵

the Remark which I made on our Treaty of 6th Febry respecting Bahama and the latent views of Spain, were not a little exploded here, but since we have been told that Court is desirous of repossessing Pensacola, which might have been predicted without pretension to much depth in politics, Gentlemen begin to reflect. our feelings are generally proportioned to the distance from danger. New England's jealousies are excited by the proximity of Canada. Carolina sees the destruction of her Commerce, from Bahama and Florida in the hands of our Enemy. I say nothing of Georgia because she is not represented.

P. S.

Major Genl. Conway is just come to Town in order to explain his meaning in a Letter of April, which Congress in his opinion had mistaken, and immediately notified him that his Resignation was accepted. if he fails of success in that point he intimates to me his hopes of a Recommendatory Certificate of his behaviour. whether this alternative will be listened

³ Note in the original: "* A. L. + W. L.", that is, Arthur Lee plus William Lee.

⁴ Cf. nos. 314, 316, *ante*.

⁵ The allusion is no doubt to a proposed expedition against Saint Augustine (East Florida). See the report on the state of Georgia, in the *Journals*, Feb. 13. Cf. no. 482, *post*. See also the *Journals*, Nov. 2, 10. Cf. the *Journals* for 1779, Jan. 15, 28, Feb. 23, Dec. 16. Concerning a proposed expedition against West Florida, see Laurens's letters to General McIntosh and Governor Rutledge, Aug. 11, 12, 1777, in vol. II. of these *Letters*, nos. 584, 586.

to, is doubtful. Gentlemen feel keen resentment for the unprovoked gross affronts which he offered in January last to our worthy Commander in Chief; besides, he has been strongly charged with malconduct in other respects which it seems incumbent on him to answer, before he can expect general countenance in Congress.⁶

P. M.

the forepart of this day devoted to selling the Bear's skin.⁷ it might have diverted you Sir, to have heard the variety of sentiments delivered in each extreme upon this momentous Subject. the wrangling of two honest Lawyers who both mean the same thing is no novelty, but the manners of two Chief Justices⁸ in conducting their debates, were curious enough, and if other people were right they were both wrong. people are anxious to know how we shall dispose of the goods Wares and Merchandize which we shall find in the city. some seemingly Wise, some very foolish and many premature propositions must be expected in a three hour discussion of this nature. a new Report may reconcile all opinions to mine, *delivered only here*, and which for ought I know may be ranged in the Second Class.

"take special care to guard against removal of any article after the Enemy shall have withdrawn. When the City is actually in your possession dispose of the Men and remaining property consistantly with Justice, good Policy, and the Laws of the State."⁹

318. HENRY LAURENS TO BARON STEUBEN.¹

YORK-TOWN, June 4th, 1778

To Maj Genl. Baron Steuben,

Sir,

I had the honor of your Letter of 27th May by the hands of Mr. Ternant on Sunday last, which I laid before Congress, and had appointed an hour for waiting on that Gentleman, to the Board of War, but some other circumstances engaged his time. it is a very extraordinary thing for me to be a whole hour, from this Table unless I am in Congress, and I was the more concerned at the disappointment, because I had intended to have introduced Mr. Ternant to several of the Delegates, but indeed we are in such a place, and fare so meanly, as to render it painful to have Gentl. introduced, because it is not in our power to shew that respect which we would wish to do to Strangers.²

Mr. Ternant addressed himself to the Board of War, but as his departure was more sudden than I had expected, and no report concerning

⁶ See nos. 319, 320, *post*.

⁷ "Catch the bear before you sell his skin". The allusion is to the discussion June 3 relative to the action to be taken upon the evacuation of Philadelphia by the British. Compare the report presented June 3 with the resolutions adopted June 4. See no. 307, *ante*, and nos. 323, 328, 332, *post*.

⁸ William Henry Drayton and Thomas McKean.

⁹ Cf. the resolutions adopted June 4.

[318]¹ Harvard Univ. Lib., Sparks MSS., XV. 82.

² The *Journals* make no mention of Steuben's letter of May 27. Concerning Jean Baptiste Ternant, see a letter from John Laurens to his father Mar. 25, in *Army Correspondence*, p. 145 (the name appears there, however, as "Ternaut"). His case was again brought before Congress Sept. 11, in a letter from Steuben of Sept. 5. He was made lieutenant-colonel Sept. 25. See also Heitman, *Hist. Reg.*

him having been yet sent to Congress, I am ignorant of his proceedings there I have often heard of Mr Ternants merit, and shall be happy on that account as well as from my respect for you Sir, to render him any service in my power, which I must candidly inform you is as limited and circumscribed as that of any other Member of Congress.

319. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

5th [4th] June 1778.²

Dear Sir,

I have before me Your Excellency's favor of the 1st which reached me late last Night, and at the same time one for Genl. Conway which I delivered to him.

Your Excellency put rather a hard task on me, by desiring me to speak to Congress on behalf of General Conway after referring to Your Excellency's Sentiments of that Gentleman nevertheless I had determined, in the most proper and becoming manner, to have presented the Marquis delafayette's message in his favor; had not the General himself put it out of my power.

General Conway called on me this Morning and after some time spent in a manner which appeared to me very extraordinary, he expressed his "surprize that I had delivered to Congress his Letter of 22d April intimating his desire to resign his Commission", said he "had intended it, a private confidential Letter, that he had also written to the president of the Board of War and expected I would have conferred with him upon the Subject, instead of doing so I had *made* a private Letter public." all this and much more of the same specie, were expressed in manner and terms altogether dissonant from the General's former soft mode of address. I had thought that I had learned to be surprized at nothing, but in this instance I discovered my mistake, I was *greatly* surprized at the weakness and wickedness of the attempt.

I replied to the General, "if I have erred it has been unwittingly. Your Letter appeared to me to have been intended for Congress, I never had the honor of a private Correspondence with Genl. Conway, it would have been improper in me to have conferred with the President of the Board of War, if a conference had been expected why had not the president called upon me. you injure me exceedingly by the imputation of exposing in public what was intended to be private. I feel my self satisfied that this behaviour is unprovoked and unmeritted, but General, the Letter is at hand let us appeal to that, I have really forgot the Contents."

I then sent to the Secretary's Office for the Letter, the perusal of it heightened my surprize. I shall take the Liberty of inclosing an exact Copy in order that you may judge Sir whether it had been designed to be private. the General had delivered me a Memorial directed to Congress.

[319]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 164.

² The date of this letter should evidently be June 4, for the presentation of Conway's memorial to Congress is recorded in the *Journals* of that day; besides, in the letter to John Laurens dated June 5 (*post*), this letter to Lafayette is mentioned as "my letter of yesterday to the Marquis". Lafayette's letter of June 1 is in *S. C. Hist. and Geneal. Mag.*, VIII. 181. His reply to this letter, June 7, is *ibid.*, p. 187.

I intimated that with his Memorial, "I should deliver also his Letter of the 18th [22d] April³ and take the sense of Congress whether it was private or public, that if it should appear I had acted improperly I would make every becoming concession."

Accordingly I appealed to Congress, I could do no less under so grave a charge. the House were astonished, and condescended to offer a Resolution in my favour, which I declined with thanks, adding "that their opinion was satisfactory to me without further trouble—the Letter would always speak for itself." the General's Memorial was ordered to lie on the Table, and although I am sure there were Gentlemen present who had been disposed to speak in the General's favor, yet there was not a dissenting Voice.

Your Excellency as a Man of honor and feeling I am persuaded will be surprized too at this very extraordinary circumstance, but how much more when you are told that on the 18th May the General wrote to Congress and apologized for the former Letter by saying he was an Irishman and therefore hoped proper allowance would be made for his mode of expression, which had not been intended to give offense, or words to this effect for I have not the Letter before me.

The Letter in question of 22d April is indubitably public.

On the 18th May the General acknowledges it to be so by apologizing for its tenor.

On the 4th June he modestly avers *upon his honor* that it was intended to be private, and in the face of the Letter maintains that position.

Sir I am happy in a mind capable of forgiving the greatest injuries and incapable of Malice. I would now rather do General Conway a favor than requite his injustice but I desire never again to converse or correspond with him.⁴

I request your Excellency will be so obliging to shew this to Colonel John Laurens and also the inclosed Letter. I have taken up so much of your Excellency's time and have also so many other Letters to write as render it necessary for me to conclude.

I shall have the honor of writing again in a day or two mean time I continue with the highest regard and Esteem.

³ The letter of resignation dated Apr. 22, read in Congress Apr. 28. The same slip of the pen occurs in the letter of June 5 to John Laurens, evidently due to the presence in the writer's mind of Conway's letter of May 18, read in Congress May 26. Extracts of Conway's letters of Apr. 22 and May 18 are in Washington's *Writings* (ed. Sparks), V. 372 n.—373 n.

Gates wrote to President Laurens May 27: "General Conway, who is just returned from Albany, seems much chagrined at the sudden and unexpected acceptance of his resignation, with no marks of respect or approbation paid to his services. He assures me that he only meant to desire his dismissal, provided he was not allowed to share in the active service of the campaigns; as it would otherwise be considered in France as a reproach to his military character to have remained in an inland garrison town, without any suitable command, while the armies were in the field. Your Excellency will receive General Conway's letter upon this subject; and I hope, sir, Congress will not think me importunate when I say I wish that the only gentleman who has left France with the rank of colonel of foot, should not be returned to his prince and nation in any other manner than such as becomes the gratitude, honour, and dignity of the United States of America." *Correspondence of Henry Laurens*, p. 110.

⁴ See the *Journals*, Apr. 28, May 26, June 2, 4. Cf. nos. 242, 299, 317, *ante*, and no. 320, *post*.

320. HENRY LAURENS TO JOHN LAURENS.¹

YORK TOWN 5th June 1778.

My Dear Son,

I wrote you a few hasty lines this Morning, immediately after which I had occasion to wish that a little dash of hypocrisy had been thrown into my frame. In came General Conway with a Letter in his hand and in an obsequious address, different from that of yesterday, asked me if I were sending Letters to Camp. I decently replied in the affirmative, desiring him to put his Letter upon the Table it should be forwarded with other dispatches immediately. so far duty in Office demanded good manners on my part. he then asked me in a low and soft tone "did not the Marquis delafayette Mr. President write you in my behalf[""] and was proceeding to further conversation. I felt the injury he had attempted, and instantly replied, I have really forgot, General Conway and I must beg Sir you will excuse me.

I had informed him yesterday Morning so very explicitly that the Marquis had writ to me and he had extorted from me repetitions of the same so very often, I judged it necessary to intimate that my memory was as defective as his own, and by begging him to excuse me, I meant, from all future conversation or correspondence.

If this honest and frank proceedure is censurable then I have cause to wish for a little dash of hypocrisy but upon a fair estimate of my past life and a review of a multitude of extraordinary circumstances which have chequered it, I find a Balance largely in favor of honesty and therefore I cast out the wish.

You will have seen my Letter of yesterday to the Marquis and General Conway's of the 22d April a Copy of this shall be inclosed and also Copy of his Letter of the 18th May. lay these together and tell me if I could notwithstanding my general maxim resist against surprize at the audacity of a Man who should in rude language in my own House charge me in presence of one of my Secretaries with having made a confidential private Letter, public, to his prejudice, and repeating the same in a Memorial to Congress, charging me with the Memorial in order that I might exhibit and Read my own Indictment.

You will observe in this Letter of the 18th May he acknowledges the Rect. of mine the [7th] in which he had been informed that his former Letter of 18th [22d] April² had been presented to Congress etc. can there be a stronger instance of effrontery than appears in his conduct by trumping up a pretence on the 4th June that his Letter was private, confidential and not intended for Public view. Congress happened at the reading of his Memorial to be very full, every Member seemed struck with amazement and although there were several Gentlemen who I am sure would otherwise have pressed warmly for some kind of handsome

[320]¹ Long Island Hist. Soc., Laurens Papers; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 167.

² See no. 319, note 3, *ante*.

dismissal to him, there was not a dissenting voice to the Order for dismissing his Memorial without consideration. I'll trouble you no longer about this compound of weakness and impudence.³

321. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN 5 June, 1778.

My Dear.

. . . . I imagine that Congress will Return to Philadelphia within a fortnight or three Weeks as it is Very desirable to regain the Ground which has been lost. Altho for myself were I to continue in this Country during the summer I should much prefer being here than to be in the City.²

A Recommendation of Congress goes by this Express to our Assembly to suspend or Repeal the Regulating Act.³

322. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF CONNECTICUT (JONATHAN TRUMBULL).¹

5th June [1778.]

Sir

I had the honor on the 3d Inst. of presenting Your Excellency's favour of 28th Ult. to Congress with the correspondence of Mr. Tryon inclosed.

Congress were well pleased with Your Excellency's Reply and have ordered it to be printed.²

³ A passage in a letter from Conway to Gates, written from York Town, June 7, 1778, may appropriately be quoted here: "I never had a sufficient idea of Cabals untill I reached this place my reception, you may imagine, was not a warm one I must except Mr. Sam Adams Coll. Richard Henry Lee and a few others who are attached to you but who can not oppose the torrent. before my arrival General Mifflin had joined General Washington's army where he commands a division. one Mr. Carroll from Maryland upon whose friendship I Depended is one of the hottest of the Cabal. he told me a few days agoe almost Litterally, that any Body that Displeas'd or did not admire the Commander in chief ought not to be kept in the army. Mr. Carroll might be a good papist, but I am sure the sentiments he expresses are neither roman nor catholick. I expect to Depart from this Court in a very few Days. if there is an appearance of any attempt from the enemy upon your post I will ask your Leave to serve in the quality of a volunteer" (N. Y. Hist. Soc., Gates Papers, XII.; Sparks, *Life of Gouverneur Morris*, I. 169; *Writings of Washington*, ed. Sparks, V. 373 n., extract). Laurens had probably received at the time of this interview with Conway Gates's letter to him, May 27, in Conway's behalf. See no. 319, note 3, *ante*.

[321]¹ Conn. Hist. Soc., Oliver Wolcott Papers, II. 52 (2).

² See the *Journals*, Apr. 9, June 20. Cf. nos. 323, 371, *post*. Wolcott had written to his wife June 1: "I find that I shall not Return home so soon as I expected when I wrote some of my last Letters. Mr. Ellsworth has lately wrote me a Letter that in Case Mr. Adams shall not come forward he will do so by the latter End of this Month. I trust that it will not be long before that I am relived" (Wolcott Papers, II. 53). June 12 he wrote, "it is said Mr. Hosmore is probably on his way, if so I suppose Mr. Ellsworth or Adams is with him" (*ibid.*).

³ See the *Journals*, June 4; cf. nos. 198, 205, 234, *ante*.

[322]¹ Library of Congress, President's Letter-Book, I. 353.

² See the *Journals*, June 3. Cf. no. 293, note 3, *ante*.

323. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 5 June 1778.

Sir,

. . . . A Report on Your Excellency's Letter of the 1st Inst. relative to measures necessary to be taken in Philadelphia in case the Enemy shall abandon that City had been considered in part yesterday and I had entertained hopes the whole would have been determined this Morning, but other business having interfered and occasioned delay I judge it necessary to transmit the inclosed Resolve, which, if it is ever to have operation, I apprehend cannot reach Your Excellency too soon.²

[P. S.] Your Excellency's favor of the 4th together with divers dispatches from Sr. H Clinton Lord Howe etc., came to hand late this Evening now 10 oClock, shall be laid before Congress to morrow.³

324. THE BOARD OF WAR TO WILLIAM AUGUSTUS ATLEE.¹

WAR OFFICE June 5, 1778.

Sir,

Your letter to Congress of the 2d instant has been referred to the board, with the sense of Congress intimated at the same time, that prisoners of war should not be inlisted into *any* corps in the service of the United States.² The licence given Genl. Pulaski to inlist prisoners, is to be considered as recalled. The licence was founded on a supposed intention of Congress to permit the inlistment of prisoners into that particular corps. Prisoners were in fact included in the resolve (as originally drawn up) as well as deserters; and tho' the former were finally struck out; yet the information given to the board led them to the determination mentioned in their former letter to you on the subject.³

I am, sir, your obedient servant

TIM. PICKERING JUNR.

By order of the Board

William Atlee Esqr.

325. THOMAS MCKEAN TO WILLIAM AUGUSTUS ATLEE.¹

Dear Sir;

Upon receipt of your favour of the 26th Ult. I applied to some of the members of the Board of war respecting the Instructions they had given to General Pulaski for inlisting Prisoners of war, and was told they had

[323]¹ Library of Congress, Letters to Washington, XCII. 2; *ibid.*, President's Letter-Book, I. 353.

² Washington's letter was dated May 31, but with an addition of June 1, this addition being the part here referred to (*Writings*, ed. Sparks, V. 393). See also nos. 307, 317, *ante*, 328, 332, *post*.

³ See the *Journals*, June 6, and no. 327, note 3, *post*.

[324]¹ Library of Congress, U. S. Revolution. Addressed, "The Honble. William A. Atlee Esqr. D'y Commissary of Prisoners, at Lancaster".

² See the *Journals*, June 4 (pp. 567, 570); also nos. 288, 311, *ante*, 325, *post*.

³ See no. 177, *ante*.

[325]¹ Library of Congress, Pennsylvania Papers.

given such, and had wrote to you about it; this made me think it unnecessary to write to you, but upon examining the Acts of Congress on this Head I found the Board were wrong, and that no prisoners of war can be inlisted in that Legion, or in any other Corps. Congress decided accordingly yesterday, of which you will be informed by the President. Tho' we have a surplus of privates of the Enemy at present after exchanging our own, yet they have Citizens and may make more prisoners; besides from my knowledge of the human heart I am convinced, that if these prisoners of war were to come to a close and hot engagement with the enemy, the fear of the latter in case of their being made prisoners would induce them to seek safety in flight.²

YORK TOWN, June 5th 1778.

326. RICHARD HENRY LEE. DRAFT OF A LETTER TO LORD HOWE.¹

[June 6, 1778.]

My Lord

The unprovoked and cruel war that has been waged against these States, renders every idea inadmissible, that proposes a return to the domination of that Power which by its own Acts of devastation and slaughter, has forced a separation. The Acts of the British Parliament lately transmitted by your Lordship having this domination principally in view require no further comment. But the good people of N. A. my Lord not insensible of what belongs to humanity, can forgive their enemies, and wish to stop the effusion of human blood. When therefore the king of G. B. shall be seriously disposed to peace, Congress will readily attend to such terms as may consist with the honor of Independent nations, with the interest of their Constituents, and with the sacred regard they mean to pay to Treaties.²

By order of Congress.

327. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 6th May [June] 1778.²

Sir,

Referring to my Letter of yesterday's date forwarded by the hands of Messenger Davis I proceed to inform Your Excellency that having laid

² The decision of Congress is not recorded in the *Journals* June 4, Atlee's letter being merely referred to the board of war. According to the board's letter June 5 (no. 324, *ante*), the decision of Congress was intimated to the board, probably by pointing out previous resolutions.

[326]¹ Univ. of Va., Lee Papers; Va. Hist. Soc., Lee Transcripts, III. 45; *Letters* (ed. Ballagh), I. 411.

² Richard Henry Lee was a member of the committee appointed June 6 to prepare an answer to the letter of Lord Howe and Sir Henry Clinton. Cf. the letter adopted, found in the *Journals*, June 6. See no. 323, *ante*, and nos. 327, 349, *post*.

[327]¹ Library of Congress, Letters to Washington, XCII. 5; *ibid.*, President's Letter-Book, I. 356.

² In the Long Island Historical Society is a letter from Henry Laurens to John Laurens, June 7, in which he speaks of the error in dating this and other letters of this day.

before Congress the Letters from Lord Viscount Howe and Sir H Clinton I have received instructions from the House to return the necessary replies. Accordingly, Your Excellency will find within this Inclosure a Packet directed to His Lordship and another to Sir Henry which Your Excellency will be pleased to send forward.

I requested permission of Congress to transmit to Your Excellency Copies of these Addresses, which Your Excellency will find inclosed in one draught admitting the proper variations of Title.³

328. DANIEL ROBERDEAU TO THE ACTING PRESIDENT OF
PENNSYLVANIA (GEORGE BRYAN).¹

YORK, June 6th, 1778.

Sir,

The Delegates of this State are honored with the commands of Council respecting a supply of money for paying of Clothing, and the State of the Frontiers; these, together with the petition of some of the Inhabitants of Northumberland, were duly laid before Congress, *and without a word of debate* referred, the former to the Treasury, the latter to the board of War, with an order to confer with the Gentlemen who were Bearers of the petition. I expect a favorable Issue to this Business on Monday.²

Two Letters, one from Lord Howe, the other from Genl. Clinton, to Congress, with the three Acts of Parliament which are the Subjects of publick speculation, were under consideration on this day, and a short answer given to the Letters. A copy is prohibited, as indelicate, until the Letter get to hand; in substance it refers to the resolves of Congress on two Bills circulated substantially the same as two of the above: that when the King shall be *seriously* disposed to peace, Congress will be ready to put an End to the cruel, unprovoked war waged against America, on Terms honorable to our Nation, for the Interest of our Constituents, and with a sacred regard to Treaties.³

³ The letters from Lord Howe and Sir Henry Clinton were laid before Congress on the morning of June 6 and referred to a committee, who were instructed to "retire into the next room, and prepare an answer". The reply, which was identical except for variations of title, is found in the *Journals* of the same day. They are separately recorded in the Letter-Book (Library of Congress), I. 355, and are also found in Laurens's private Letter-Book in the South Carolina Historical Society (p. 170). They were printed in the *Royal Gazette* of July 8, 1778. The letter to Sir Henry Clinton is in the Royal Institution, American MSS., vol. VIII., no. 106, bearing the erroneous date "May" 6, 1778 (see note 2, above), and is found among the Stevens Facsimiles (no. 1096). See no. 326, *ante*, and nos. 328, 331, *post*. Cf. a letter of Samuel Adams to Samuel Phillips Savage, June 8, in Mass. Hist. Soc., *Proceedings*, XLIII. 331. Washington replied to this letter of Laurens June 9. See the *Journals*, June 11, and nos. 330, 331, 334, 335, 339, 343-346, *post*.

[328]¹ *Pa. Arch.*, first ser., VI. 584.

² See the *Journals*, June 6, 8. According to the *Journals*, two letters of the Pennsylvania council dated June 5 were laid before Congress June 6, one of them in connection with the Northumberland petition. The latter is probably the letter, with the date June 4, printed in *Pa. Arch.*, first ser., VI. 577. See the correspondence of Vice-President Bryan with the board of war June 3, 5, 8, 10 (*ibid.*, pp. 576, 581, 586, 593). For the action of the board of treasury on the letter of the council referred to it, see *ibid.*, p. 591. Cf. no. 312, *ante*. See also a letter from the council to David Rittenhouse, treasurer, July 14 (*ibid.*, p. 643), and the *Journals*, June 16, 25.

³ See the *Journals*, June 6; also no. 327, note 3, *ante*, and no. 331, *post*.

I hope to congratulate you soon on regaining our Capital. Some step will be taken by Congress for securing property until a deliberate discrimination can be made, in which a due regard to the prerogative of the State will be attended to.⁴

329. THE RHODE ISLAND DELEGATES TO THE GOVERNOR OF RHODE ISLAND (WILLIAM GREENE).¹

PENNSYLVANIA, YORK TOWN, June 8th, 1778.

Sir,

Mr. Marchant arrived at this Town the sixth Instant. The Situation of Mr. Ellery's Family necessitates his Return in a few Days. Confederation, it is expected, will soon be taken up; and if Congress should determine that, immediately upon the completion of that Business, no State can be represented without two Members, the State we have the Honor to represent may not have that Share in the Common Counsells of the States which Our Interest and Circumstances require: Solicitous this may not be the Case, we hope One of our Colleagues will soon give his Attendance.

We lament the Waste and Destruction made upon Our State by that more than Savage Barbarity peculiar to Britons; But we are utterly at a Loss to account for that cruel Desertion of our Sister States which has thus laid Our State *bare* to the Insults and Ravages of Our Enemies. This is a Subject we feel most pungently, and shall not fail to endeavour to excite in Congress a common feeling with us, that if possible, some Steps may be taken for Our Relief.²

. . . . We enclose to your Excellency the last York papers, and are,
Most respectfully your Excellency's

Most obedient and humble servants,

WILLIAM ELLERY.

HY MARCHANT.

330. HENRY LAURENS TO GEORGE WASHINGTON.¹

YORK TOWN 8th June 1778

Dear Sir,

My Colleague Mr. Drayton having shown me about a fortnight ago the draft of a Report which he had prepared, stating charges against the

⁴ See the *Journals*, June 3, 4, and nos. 307, 317, 323, *ante*, 332, *post*. To a copy of the resolve of June 4, printed (with the date June 5) in *Pa. Arch.*, first ser., VI. 578, Roberdeau has appended the following note:

"Dear Sir,

"I write at a publick Table, much embarrassed, to hand you the above Copy of a Resolution of Congress.

"I am very respectfully, D'r Sir, Yr. most Obt Hum. Servt.

DAN'L ROBERDEAU.

"P. S. My design is that you may cast about and be in readiness to appoint proper persons."

[329]¹ *R. I. Arch.*, Letters to the Governors, 1778, p. 83; Staples, *R. I. in Cont. Cong.*, p. 184.

² See the *Journals*, June 13, 25, and nos. 342, 372, 385, *post*.

[330]¹ Library of Congress, Letters to Washington, XXIII. 330; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 172; Harvard Univ. Lib., Sparks MSS., LXVII. 18, 20; *Letters to Washington* (ed. Sparks), II. 132.

General Officers who lately abandoned Ticonderoga and flattering me with assurances that he would soon offer it to Congress I delayed replying to your Excellency's Favor of the 29th Ult^o.² hoping for ground to intimate that that business was ready to be dispatched to Your Excellency for the further necessary order, but, to my great mortification, it continues to be procrastinated. some of the Gentlemen of the Committee it seems are or *have been* desirous of new lights; in a word Sir, I am quite in opinion with those Gentlemen who say "the not proceeding in this matter is cruel and oppressive", although I am as well convinced, the delay has not been calculated or intended to distress the parties affected. It has arisen from a vapid desultory habit, which if I am not mistaken, I have seen, squander Millions and endanger States. I speak with warmth and I believe with equal truth. On my Country's account as well as from a feeling for the Culprit Officers, I am really ashamed of our conduct respecting the particular affair in question. however as I can always take a decent freedom with my Colleague, who is really a diligent Man, I will not let him pass a day unreminded of the necessity for bringing forward his report. I sent off a Messenger today with a Letter to Lancaster at his request for collecting somewhat relative to the business, and I think he hinted that when that ingredient should be obtained the Report would be complete.³

Frequent Items have been given in public of the disagreements of our Commissioners. This day a private perusal of Papers treating on that subject gave me much pain. I fear an investigation upon the arrival of Mr. Deane who is every hour expected will spread the trouble wide. I have suppressed all that has been written to me and have sealed my Lips except to Your Excellency and one other Gentleman. I know all the Gentlemen yonder, some of them very intimately, know their tempers and habits and think I can mark out causes, but I can only deplore their impolitic and I was going to say School Boy jarrings and dread the consequences of a heated and injudicious discussion on this side.⁴

9th. late last Night Your Excellency's public Letter of the 7th was brought to me. I shall lay it before Congress at 10 oClock. Lord Abingdon's protest does honor to Mr. Morris of N York. the merit of our Resolves of 22d April is fairly to be ascribed to him.⁵

I have lately much regretted that I had it not in my power to transmit to Your Excellency some of the English Papers which we had received and which indeed came originally into my own hands but judged it my Duty to present them to the House, where they were so, and so suddenly, dispersed as to deprive me of the reading even of one of them, yet I dare

² Washington's letter of May 29 is in *Writings* (ed. Ford), VII. 33, (ed. Sparks), V. 383. Only a brief postscript concerns the Ticonderoga matter.

³ See nos. 308, *ante*, and nos. 338, 369, *post*.

⁴ See nos. 268, 280, 295, *ante*, 401, *post*. See also the letter of Benjamin Harrison to Robert Morris June 8, mentioned under no. 295, note 4, *ante*.

⁵ Washington's letter of June 7 relative to the British peace commission was read in Congress June 9. A letter of June 9 upon the same subject was read June 11. See no. 327, note 3, *ante*, and nos. 331, 335, 339, 340, 343-345, *post*. With regard to the resolves of Apr. 22, taken upon the first presentation of the conciliatory bills, see no. 271, note 2, *ante*. Concerning the Earl of Abingdon's "Protest", see no. 335, *post*.

not say, I'll take better care another time, my own duty will be to do, as I have done.

in order to save time I have sent to the Secretary's Office a Young Man to Copy the Resolves of Congress required by Your Excellency, and which will be found here inclosed. I am with the most sincere Regard and Esteem

Sir Your Excellency's much obliged and most obedient servant

HENRY LAURENS.

His Excellency

General Washington.

Your Excellency will do me the honor to accept this as private.

331. THOMAS MCKEAN TO MRS. MCKEAN.¹

My dear Sally,

. . . . Lord Howe and General Clinton have at last found out the way of writing to Congress.² We had a letter from each, directed to *Henry Laurens Esquire President of Congress at York-Town*, on Saturday morning; they let Congress know, that they have it in command from His Majesty to lay three Acts of Parliament before *Congress*, and to communicate them to the *Commander in chief of their Armies* etc. Congress referred them to their determination on the 22d of April last, and let them know whenever their King is seriously disposed to put an end to the present unprovoked and cr[ue]l war, Congress will be ready to conclude a peace upon terms honorable to *Independant Nations*, and beneficial for their Constituents etc. As the answer will probably be received to day in Philadelphia I do not think they will stay three days longer.³

YORK TOWN.

June 9th 1778.

332. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

YORK TOWN 9th June 1778

Dear Genl.

. . . . The Opinion of Congress relative to Phila: you have doubtless ere this received. Mine did not arise from any Pleasure I take in the Distresses of my Fellow Creatures still less from that horrid Proscription which however dictated certainly disgraces human Nature. Simply I wished that our Enemies should be mulcted before they were received into our Bosom and that we might thereby possess ourselves of the Sinews of War.² Should there be still other Disiderata as to the Army which indeed I well know there are pray let me hear of them in a Letter to which I shall call the attention of the House who have now entangled themselves in such an Infinity of Matter that some Management is really necessary to lead them to the most serious and important Objects. . . .

[331]¹ Hist. Soc. of Pa., McKean Papers, VI. 17.

² An allusion to Lord Howe's letter of July, 1776, addressed to "George Washington, Esq.", which Washington refused to receive. See Washington's letter to Congress July 14, 1776 (*Writings*, ed. Ford, IV. 247), and the *Journals*, July 17, 1776.

³ See no. 327, note 3, *ante*.

[332]¹ Library of Congress, Letters to Washington, XXIII. 342; *Letters to Washington* (ed. Sparks), II. 135.

² See nos. 307, 317, 323, 328, *ante*.

333. JAMES LOVELL TO HORATIO GATES.¹

YORK TOWN June 9th 1778

Dear General

Here we are still the Sport of Lyars. One Day we are told the Enemy are filling their Ditches and preparing to leave Philada., *en Ami*; in the next we are informed of new Works and fresh arrived Troops. For my own Part, I think they will aim to give us a Drubbing on one Quarter or another. We have therefore laid an Embargo on all Provision both with a View to our own Supply and the Enemy's Distress;² and we shall urge the States to instant Exertions for the compleat Number of Levies.³ . . .

334. JOHN WENTWORTH, JR., TO JOHN LANGDON.¹

YORK TOWN PENNA. June 10, 1778.

Dear Sir:

. . . The enemy at Philadelphia for three weeks past have been doing and undoing—one day extremely busy in fortifying and the next in demolishing—in short their manoeuvres are so various as to render it utterly impossible to guess what measures they mean finally to pursue. from every circumstance however their intention to evacuate the City is beyond doubt;² how long that step may be retarded by the late arrival of commissioners from England is altogether uncertain. the commissioners have directed their General to apply to General Washington to obtain a passport for a Dr Ferguson, Secretary to their King's Commission to wait on Congress. General Washington has submitted the matter, which is not yet determined upon.

I hardly think Congress will have the *honor* of seeing those gentlemen Commissioners very soon, unless they comply with measures which from the present conduct of the enemy we have little reason to expect.³ . . .

335. HENRY LAURENS TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹P. S.² Private.

Your Excellency will find enclosed several copies of Lord Abingdon's speech and protest in the British House of Lords upon the acts of Parlia-

[333]¹ N. Y. Hist. Soc., Gates Papers, XII.

² See the *Journals*, June 8. In a letter to Elias Dayton, dated "Near Springfield", June 8, Abraham Clark discusses the question of the enemy's movements, inclining to the view that they will not soon leave Philadelphia. An extract of the letter is in Henkels, *Catalogue*, no. 969, item 83 (where the date is given as "Jan. 8, 1778"). See also the letter from Joseph Reed to Mrs. Reed, June 9, *Life of Reed*, I. 366.

³ See the circular letter in the *Journals*, June 10; also nos. 335, 341, *post*.

[334]¹ Library of Congress, Force Trans., Whipple, II. 503; Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., p. 210; N. Y. Pub. Lib., Bancroft Coll., Langdon-Elwyn Papers (copy).

² Cf. no. 333, *ante*.

³ Cf. nos. 335, 339, 340, *post*.

[335]¹ N. C. Hist. Comm., Caswell Papers; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 175; *N. C. State Recs.*, XIII. 157.

² This postscript is appended to a copy of the circular letter of June 10. Although, according to the *Journals*, one passage of the circular letter was to be

ment, for removing all the doubts concerning Taxation etc. these as I endeavour to do all papers proper for public information shall [be] dispersed as extensively as possible.⁸

I shall add copies of a late correspondence between Lord Howe, Sir H. Clinton, Genl. Washington and Congress.

Last Night, late I received a Letter from General Washington. Sir H. Clinton had requested a Passport, for Doctr Ferguson Secretary to the Commissioners to attend Congress. General Washington demur'd until he should inform Congress. This will be the subject of our consideration at 10 o'Clock.⁴

Doctor Ferguson was tutor to Lord Chesterfield at Geneva, where a young Gentleman⁵ with whom I correspond in Camp knew him intimately. He says "the Doctor is known in the literary world, and whose profound knowledge makes him very respectable." . . .

11th June 1778

336. FRANCIS DANA TO GEORGE WASHINGTON.¹

YORK June 11th. 1778

Dear Sir

I had the honor last evening, of your favor of the 9th inst: requesting me to repair to camp to assist in the business of arranging the army, as soon as possible Altho' I am impressed with the necessity of that business being finished without delay, yet I cannot in duty to the State I represent

omitted in the letters to North Carolina, South Carolina, and Georgia, and a paragraph was to be added to the letters to Maryland, Virginia, and North Carolina, the letter to North Carolina appears without either the subtraction or the addition. Barring errors, it is identical with the letter to Pennsylvania (*Pa. Arch.*, first ser., VI. 592). The circular letter is recorded both in the President's Letter-Book (I. 368) and in Laurens's private Letter-Book (p. 182), and a number of copies, addressed to the respective states, are extant. Curiously enough, as printed in *N. J. Rev. Corr.*, p. 116, it has the signature "John Hancock", as well as the erroneous date "June 17". The original in the New Jersey State Library has, however, Laurens's signature and the proper date, June 10. See no. 333, *ante*, and no. 341, *post*.

³ The reference is no doubt to the Earl of Abingdon's speech in the House of Lords Mar. 9, on the Conciliatory Bills, and his "Protest", entered upon the Journals of that date. A résumé of the speech is found in Hansard, *Parliamentary History*, XIX. 856; the Protest is *ibid.*, p. 868, and in the *Lords' Journals*, XXXV. 356. See no. 330, *ante*. An earlier pamphlet of the Earl of Abingdon, *Thoughts on Mr. Burke's Letter to the Sheriffs of Bristol on American Affairs* (Oxford, 1777), had attracted wide attention, and had just been reprinted in Lancaster by Dunlap. See Evans, *American Bibliography*, V. 367 (nos. 15740, 15741). In this connection a letter from Thomas Wharton, jr., president of Pennsylvania, to Robert Morris, Feb. 4, 1778, is of interest: "Mr. Fitzsimmons delivered me the Earle of Abingdons Pamphlet which you were so kind as to send me—it is a Treasure worth preserving, and therefore should be reprinted that every American may have an opportunity of reading it with attention. Mr. Dunlap has a great desire to sett his types for it, and Council is well disposed to encourage him, but it is just necessary to obtain your consent" (Library of Congress, Morris Papers). See nos. 107, 180, *ante*. A sketch of Willoughby Bertie, fourth earl of Abingdon, with some account of this pamphlet, is found in *Dict. Nat. Biog.*

⁴ Cf. nos. 334, *ante*, 339, 340, *post*.

⁵ John Laurens.

[336]¹ Library of Congress, Letters to Washington, XXIV. 5; *Letters to Washington* (ed. Sparks), II. 137.

quit Congress till the Confederation is ratified, which I hope will be done in a few days.²

337. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

12 June [1778.]

D'r Sir

. . . . An Enquiry is ordered by Congress into the conduct of Major General Mifflin and the Officers in his late department of Quarter Master General. there was a violent opposition of near four hours.² 'tis amazing to me, who am persuaded as a Man of Honor, the General must wish for an investigation in order to Satisfy the Public who at present clamor exceedingly upon the subjects of neglect, misapplication, speculation etc. an enquiry will remove every groundless imputation.

338. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO PHILIP SCHUYLER.¹

12 June [1778.]

Sir

In consequence of your favors of the 17th and 29th May which I have lately had the honor of presenting to Congress, I expect to receive commands to be transmitted to you tomorrow.

I moved Congress yesterday to call for the Report on the Tyconderoga affair. it will be made this morning²

339. JOSIAH BARTLETT TO NATHANIEL FOLSOM.¹

YORK TOWN June 12 1778

Dear Sir

I arrived here the 21st ulto.

The latter End of May Genl Clinton and Lord Howe sent the late famous acts of the Brittish Parliament to G Washington and Requested leave to send out a person to him, which He Refused and informed them that if what they had to Communicate to him was what came under the military Department, He Desired it might be sent him in writing, but if it was of any other nature their application ought to be made to Congress; the Begining of this month they sent the same acts in a letter signed by Ld. Howe and G Clinton Directed to the President of Congress signifying

² Washington wrote to Dana June 9 that he had received the resolution of Congress (see the *Journals*, June 4) by which Dana was appointed to assist in arranging the army, and added, "As so important a matter ought not to be delayed I would be glad to see you at camp as soon as possible; and to know when I can have that pleasure" (Library of Congress, Washington Papers). Cf. the letter of Joseph Reed to Mrs. Reed, June 9-11, in *Life of Reed*, I. 366. Concerning the Confederation, see the *Journals*, June 19, 20, 22, 23, 25-27, July 9, 10. Cf. nos. 243, 292, 293, 306, *ante*, and nos. 339, 367, *post*. [337]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 177 (in the writing of Moses Young).

² See the *Journals*, June 11

[338]¹ Library of Congress, President's Letter-Book, I. 365.

² See the *Journals*, May 26, June 3, 9, 11, 12, 20, and nos. 308, 330, *ante*, 369, *post*.

[339]¹ Hist. Soc. of Pa., Dreer Coll., Old Congress, I. 22; *Pa. Mag. of Hist. and Biog.* XXIX. 194; Brotherhead, *Book of the Signers*, p. 165.

their being authentick Copies and saying they wished they might have the Desired Effect. The Congress Directed the President to inform them that when the King of England was seriously inclined to put an end to the cruel and unprovoked war he had waged against the United States they would readily Concur in all proper measures Consistent with the Rights of Independant Nations, the Intrest of their Constituents, and the Sacred Regard they owed to Treaties.

The 9th Instant Genl Clinton sent a letter to G Washington informing him of the arrival of the Earl of Carlisle, Mr Eden and Governor Johnstone the Commis'rs and Requesting him to grant passports to Dr Ferguson their Secretary to repair the next morning with letters to Congress; G Washington Refused the passports till he Recd the order of Congress on that matter. the Congress have not yet Determined on it I believe he will not be permitted to Come to Congress But G Washington ordered to Receive the letters at the line and Send them to us.² A French Ship of 50 Guns is arrived at Virginia with Cloathing.

The Congress have not yet Ratified the Confederation, two or 3 of the States not having Signified their assent. I expect it will not be long before it will be Confirmed.³

340. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO HORATIO GATES.¹

YORK TOWN 13th June 1778

Sir,

. . . . The Newspaper Inclosed will shew you a late correspondence between Philadelphia and Congress. Congress will some time to day determine on a proper answer to Sir H. Clinton's late attempt to obtain a Passport for Doctor Ferguson Secretary to the Commissioners to attend them at York Town without previously announcing the subject of his errand.*²

² See the *Journals*, June 6, 11-13; cf. no. 335, note 4, *ante*, and no. 340, *post*. Clinton's first letter to Washington relative to the proposed visit of the commission is dated May 30 (contemporary copy in the Library of Congress, Washington Papers); Washington's reply, May 31, is found in *Writings* (ed. Sparks), V. 394. Clinton wrote again June 3, and this letter from Lord Howe, May 27, was transmitted to Congress by Washington June 4 and read in Congress June 6. Washington's letter of June 9, in reply to Clinton's letter of the same date, asking for a passport for Dr. Ferguson, is in *Writings* (ed. Sparks), V. 397. Oliver Wolcott wrote to his wife, June 12: "Congress are united and firm not to enter into any kind of Negotiation but upon the acknowledged Principles of our Independence" (Conn. Hist. Soc., Wolcott Papers, II. 53). The use, as in this letter, of "G" as an abbreviation for *General* was not an uncommon practice.

³ See no. 336, *ante*, and no. 367, *post*.

[340]¹ N. Y. Hist. Soc., Gates Papers, XII.; N. Y. Pub. Lib., Bancroft Coll., Revolutionary Papers, III. 401 (copy of part); Library of Congress, President's Letter-Book, I. 366 (without the private postscript); S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 180 (only the private postscript, which appears in the form of a distinct letter).

² Except for the formal conclusion and signature and the brief postscript relative to the messenger, the official letter ends here, the asterisk pointing to the longer, private postscript. In a letter to General Heath June 12 Laurens wrote: "The Commission at Philada. are anxious to send a Messenger and Message to Congress if I guess right at opinions. the decision this morning will be to demand an explanation of the business, as a preliminary" (S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 179).

[P. S.] The Messenger³ having been long detained stands in need of Money I have supplied him with Sixty Dollars. Please to inform the proper Officer.

The Honorable Major General Gates Fish Kill

* While Congress were this Morning in debate on this subject⁴ a large Packet from Head Quarters was ushered into the House and dd [delivered] to me. I suggested that this, holding up the Packet, might prove an attempt to mend the whole, and so it happened. Doctor Ferguson had proceeded with a Flag to Radnor but finding he could not obtain a Passport left his dispatches which were under a superb direction and triple Seals, the device of the latter, a fond Mother embracing returning Children, both, no doubt, projected for the occasion—here honour and duty bid me stop. Congress having heard me read two Pages of the Commissioners address gave me direction to seal up the whole and adjourned to Monday Morning.

I have a confidence in Congress that their future determination on this important subject will give the People satisfaction and do themselves honor on both sides the Atlantic.⁵

Governor Johnson is liberal in addresses to particular persons, under his single signature. among others he has honoured me with a Letter much too polite to be sincere.⁶ he has sent me Letters from my old and best friends in London all tending to the same point to wheedle us into resubjection, but if I do not misinterpret the intimations of one, a Man of as good sense as any in G Britain, and high in Esteem with the first Men on both sides at Court,⁷ these same Commissioners now are, or very soon will be, possessed of such Powers as will be acceptable at the Court House of York Town.

You will be pleased Sir to receive this P S. as the private respects of,
Your obliged and obedient Servant,

HENRY LAURENS

Lord Carlisle and Comp. the Commiss'rs adventured the 10 Inst't under an Escort of Light Troops to take an airing as far as Germantown I am in hopes if they repeat this frolic, wh. is certainly calculated for shewing themselves to the people, they will be introduced to an audience under an Escort of our own.

³ In the President's Letter-Book this postscript reads, "This Mess'r Simon Crigier having been", etc. At the head of the letter-book copy the name had been written by the recording clerk as "Simon Crygier", but Laurens erased it and wrote instead, "by Simon Crugier". In *Cal. N. Y. Hist. MSS.: Revolutionary Papers* "Crygier" appears to be the accepted form of the name, although other forms are found.

⁴ In the Laurens Letter-Book in S. C. Hist. Soc., where this private postscript is recorded (in the writing of Laurens's secretary, Moses Young) as a distinct letter, the following explanatory note is found, "Referring to an application for a Passport for Dr. Ferguson".

⁵ See the *Journals*, June 11, 13, 15-17; cf. nos. 327, note 3, 334, 335, 339, *ante*, and nos. 343-346, *post*. Of especial interest at this point is a letter which the Earl of Carlisle wrote to George Selwyn June 10, immediately after the commissioners' letters to Congress had been despatched. It is found in J. H. Jesse, *George Selwyn and his Contemporaries*, III. 280; also in *Life of Joseph Reed*, I. 379.

⁶ See Laurens's proposed letter to Johnstone in reply, June 14, no. 346, *post*. Cf. nos. 348, 356, 360, 370, 373, *post*.

⁷ Cf. the letter to Washington, June 18 (no. 358, *post*).

341. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
GOVERNOR OF VIRGINIA (PATRICK HENRY).¹

13th June [1778.]

Sir

I had the honor of writing to you the 9th by Barry. In the Act for laying an Embargo then transmitted, there should have been an addition of a clause wh. I apprehend was omitted, and therefore I trouble Your Excellency with a Copy inclosed and beg leave to refer to it.²

Your Excellency will also find inclosed two other Acts of Congress viz.

10th June³ Requesting Your Excellency to purchase under a limitation certain articles for the use of these United States from on board the French ship *Le Fier Roderique*.

And I am ordered to intimate to Your Excellency to take the opinion of persons properly skilled, respecting the prime cost and a comparative quality of the Goods, particularly that of shoes.⁴

342. THE MASSACHUSETTS DELEGATES TO THE PRESIDENT OF THE
MASSACHUSETTS COUNCIL (JEREMIAH POWELL).¹

YORK TOWN June 13th 1778

Sir

The Intelligence which Congress has very lately received of the Enemies reputed Depredations in the State of Rhode Island and Providence Plantations gave Occasion to the passing of the inclosed Resolution; But, such has been the Attention of the Massachusetts Bay to the safety of these united States as renders it needless for us to enlarge upon the Necessity of their turning an immediate Attention to the relief of one of their own Neighborhood which now bears a large share in the calamities of War.²

Your very humble servants

SAMUEL ADAMS
E. GERRY
FRA. DANA
JAMES LOVELL

[341]¹ Library of Congress, President's Letter-Book, I. 365.

² A similar letter to Governor Johnson of Maryland is found in Md. Hist. Soc., Red Book, VII. 139. The enclosure to Governor Johnson (*ibid.*, VII. 138) was, however, that paragraph which was to be added to the circular letter of June 10 as transmitted to Maryland, Virginia, and North Carolina (see nos. 333, 335, note 2, *ante*). It bears the heading, "Resolve of Congress of the 8 June 1778", and is signed, "Certified Henry Laurens President". If therefore the record in the *Journals* is correct, Laurens was in error in characterizing this paragraph as an addition to the embargo act of June 8. The letter to Governor Johnson is also found in the President's Letter-Book, I. 366, and a similar letter to Governor Caswell is *ibid.*, p. 367, dated June 14.

³ The other act enclosed was that of "11th June for raising troops", etc.

⁴ The instruction indicated in this paragraph is not found in the *Journals*. On the other hand, the President did not include in his letter an explanation of "the principles of such limitation", as instructed in the resolution of June 10.

[342]¹ Mass. Arch., CXCIX. 208 (in Lovell's writing; autograph signatures); Library of Congress, Force Trans., Massachusetts Records, Letters, 1778, p. 208.

² See the *Journals*, June 13, 25. Cf. no. 329, *ante*, and nos. 372, 385, *post*.

343. SAMUEL ADAMS TO JAMES WARREN.¹

YORK TOWN, June 13, 1778.

My dear Sir,

. . . . By the inclosed News Paper you will see that the Scene begins to open. You may depend upon it that Congress will not attend to any Propositions until Independence is acknowledgd. The Day before yesterday, we were informd by a Letter from General Washington that Sr. H. Clinton had requested a Passport for Dr. Ferguson, Secretary to the British King's Commissioners, who was chargd with a Letter from them to Congress; and that he had acquainted Sr. Harry that he could not grant the Request till he should receive the Directions of Congress. In the Midst of a Debate on the Report of a Committee on this Subject, the Letters were brought in, having been receivd by our General and forwarded. This Mode of Conveyance suited the Inclination of the House, they being, as I thought, at that Juncture ready to assent to a Proposition approving of the General's Conduct in refusing to grant a Passport to the *Messenger*, and expressing themselves content that he should receive the Message and send it by a Messenger of his own.

The Contents of the Letter, as far as they were read appeard extraordinary indeed, and show'd plainly that their Design was to draw us back to a Subjection to their King. Some Expressions in the Letter gave particular Disgust to all the Members. The House adjourn'd till Monday when I think I may assure you the Subject will be treated with becoming Spirit and Propriety.²

344. HENRY LAURENS TO JOHN LAURENS.¹

13 June [1778.]

My dear Son

I thank you for your very sensible Letter of the 11th wh. came with the General's dispatches at past 1 o'clock just as Congress were about to adjourn. How came those important papers to travel so very tardily?

Congress I think determin'd properly to reflect a little and I have no doubt but that on Monday their Resolutions will be equally proper.²

345. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 14th June 1778

Sir,

. . . . Between one and two oClock yesterday the Packet which Your Excellency sent to Congress accompanied by Your Excellency's favor of

[343]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 212; *Warren-Adams Letters*, II. 21.² Cf. nos. 323, 326-328, 330, 331, 334, 335, 339, *ante*, and nos. 344-346, 348-352, 354-360, 362, 370-374, 378, 381, *post*.[344]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 180.² John Laurens's letter of June 11 is in *Army Correspondence*, p. 183. Two letters of June 9 (*ibid.*, pp. 178, 181) also pertain especially to the British peace commission. See nos. 343, *ante*, 345, 355, *post*.[345]¹ Library of Congress, Letters to Washington, XCII. 12; *ibid.*, President's Letter-Book, I. 367.

the 11th was brot into the House. among other Papers it contained an Address from the British Commissioners to Congress. at that minute Congress were determining on a proper reply to be given to Sir H Clinton's application for a Passport for Doctor Ferguson. I was ordered to read the Address. when I had advanced to the second Page, the House directed me to Seal up all the Papers and adjourned to Monday Morning.² . . .

346. HENRY LAURENS, PROPOSED LETTER TO GEORGE JOHNSTONE.¹

YORK TOWN 14th June 1778

Dear Sir

Yesterday I was honored with your favor of the 10th and thank you for the transmission of those from my Dear and worthy friends Mr. Oswald and Mr. Manning. had Doctor Ferguson been the bearer of these papers, I should have shown that Gentleman every degree of respect and attention, that times and circumstances admit of.

It is Sir, for Great Britain to determine whether her Commissioners shall return unheard by the Representatives of these United States, or revive a friendship with the Citizens at large, and remain among us as long as they please.

You are undoubtedly acquainted with the only terms upon which Congress can treat for accomplishing this good end; terms from which, although writing in a private character, I may venture to assert with great assurance, they never will recede, even admitting the continuance of hostile attempts and that from the rage of War the good people of these States shall be driven to commence a Treaty westward of yonder Mountains; and permit me to add Sir, as my humble opinion, the true Interest of Great Britain in the present advance of the Contest will be found in confirming our Independence.

² See the *Journals*, June 13; also nos. 340, 343, 344, *ante*, and nos. 346, 355, 358, 360, 373, *post*. Johnstone's letter to Washington dated June 10 is in *Letters to Washington* (ed. Sparks), II. 136. Washington's reply, June 12, is in *Writings* (ed. Sparks), V. 402; his reply of the same date to Eden's letter dated June 9 is *ibid.*, p. 401. Besides the public letter transmitting the address, etc., of the British commissioners, Washington also wrote a private letter to President Laurens June 11, in which he said: "I must take the freedom to hint to you, that if in the packets transmitted by this conveyance there are any letters for persons, with whom you are not acquainted, or in whose firmness and attachment you have not an entire confidence, it may not be improper to open them. This I am persuaded would be the case. However I am the more induced to mention it, as the obvious nay almost sole design of several letters which have come to my hands is to give the Commissioners the most favourable characters for candor and integrity and to establish a belief that they have the most competent and extensive powers. The letters coming sealed was sufficient to awaken my suspicions and I shall not transmit a single one of this complexion. You and I, I am convinced move on the same principle, and therefore I am certain, I hazard nothing in taking this liberty" (*Writings*, ed. Ford, VII. 57, ed. Sparks, V. 400). See also Washington to Laurens June 18, "six o'clock, P. M." (*Writings*, ed. Ford, VII. 68, ed. Sparks, V. 411).

[346]¹ Library of Congress, Letters to Washington, XXIV. 61; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 183; *ibid.*, Laurens Papers, vol. 28 (copy); N. Y. Hist. Soc., Gates Papers, XII. (copy in the writing of Laurens's secretary, Moses Young); *Letters to Washington* (ed. Sparks), II. 136 n.

Congress in no hour have been haughty, but to suppose that their minds are less firm in the present than they were, when, destitute of all foreign aid, even without expectation of an Alliance, when, upon a day of general public fasting and humiliation, in their House of Worship and in the presence of God, they Resolved, "to hold no conference or Treaty with any Commissioners on the part of Great Britain, unless they shall as a preliminary thereto, either withdraw their Fleets and Armies or in positive and express terms acknowledge the Independence of these States," would be irrational.

At a proper time Sir, I shall think myself highly honored, by a personal attention and by contributing to render every part of these States agreeable to you, but until the Basis of mutual confidence shall be established, I believe Sir, neither former private friendships nor any other consideration, can influence Congress to consent, that even Governor Johnston, a Gentleman who has been so deservedly esteemed in America shall see the Country. I have but one voice and that shall be against it. But let me intreat you my Dear Sir do not hence conclude that I am deficient in affection to my old friends, through whose kindness I have obtained the honor of the present correspondence, or that I am not with very great personal Respect and Esteem, Sir

Your most Obedient and most Humble Servant

HENRY LAURENS

The Honorable George Johnston Esquire
Philadelphia²

347. THE NEW HAMPSHIRE DELEGATES TO THE PRESIDENT OF
NEW HAMPSHIRE.¹

YORK TOWN PENNSYLVANIA June 15th 1778.

Hon'd Sir.

Congress having received advice by Letters from General Sullivan of the late Ravages of the British Troops in his Department; and of his present inability to prevent the like in future should they come out with any considerable force—have directed the Delegates of New Hampshire, Massachusetts Bay and Connecticut to address the Legislatures of their respective States, requesting them forthwith to send forward their Quotas of Troops destined for the defence of the State of Rhode-Island.²

Tho' we think there is no reason to doubt but that the Quota of our State will be raised and marched, before this reaches you yet in Obedience to the Orders of Congress, we cannot do less than solicit your attention to a Matter so important in its Consequences—that if, by any means our State should be wanting in that respect, your immediate Care might supply the Deficiency.

² See nos. 340, 345, *ante*, and nos. 355, 358, 360, 373, *post*. In the N. Y. Hist. Soc., Gates Papers, vol. XII., are also copies of Johnstone's letter to Laurens June 10, and his letter to Robert Morris June 16. See the *Journals*, July 9, 18, Aug. 11.

[347]¹ Mass. Hist. Soc., C 81 A 24; Library of Congress, Force Trans., Weare, f. 114.

² See the *Journals*, June 13.

We have only to add our hearty wishes that this and every other Exertion of the State in defence of every thing valuable may be attended with the best success.

We are with great Esteem

Sir, your Obedt. very hum'le Servants

JOSIAH BARTLETT

JOHN WENTWORTH JUNR.

Honble M. Weare Esqr.

President of New-Hampshire.

348. ROBERT MORRIS TO GOUVERNEUR MORRIS.¹

VALLEY FORGE, June 16th, 1778.

I came down here about ten days ago, expecting to go into Philadelphia immediately, and should certainly have done so, had not the Commissioners arrived at the critical time they did. Since then I have been prevailed on to stay, day after day, until Congress give them their answer, which, it is expected here, will be such, as will send them off immediately. After that answer is given, I should like to hold an hour or two's conversation with my friend, Governor Johnstone, but have not yet determined on doing so. I think he will be much mortified at his disappointed embassy, and I could wish to convince him, that Great Britain may still be happy and continue rich, by forming a commercial alliance with us, on the same broad basis that other nations do. It will be no difficult matter to convince any reasonable man, that Great Britain would still enjoy under such treaties the greatest share and most valuable parts of our trade; but the best and most liberal of the British subjects feel themselves humbled, in the idea of quitting their sovereignty over us; and this with many will preclude all reasoning on the subject. Whether Governor Johnstone is of this number or not, I cannot tell; but we know he is strongly opposed to our independence, although unbounded in offers of everything else. No offers must tempt us; they ought not to have a hearing of one moment, unless preceded by acknowledgment of our independence, because we can never be happy people under their domination.

I have frequently ventured to assert here, that Congress will not give up one of their former resolves on this subject, nor do a thing in the least degree inconsistent with their public faith, plighted in the ratification of the treaty with France. I am sure you will make my words good.²

349. RICHARD HENRY LEE TO THOMAS JEFFERSON.¹

YORK IN PENNSYLV. 16 June 1778

Dear Sir,

. . . . The enemy have made many insidious attempts upon us lately, not in the military way, they seem tired of that, but in the way of negoti-

[348]¹ Sparks, *Life of Gouverneur Morris*, I. 186 (extract).

² See nos. 340, 343, *ante*, 356, 370, 373, *post*. It was on the very day on which this letter was written that Johnstone wrote to Robert Morris his famous letter offering honors and emoluments to those who might steer the vessel safely to port. See the *Journals*, July 9, Aug. 11; *cf.* nos. 419-422, 462, *post*.

[349]¹ Library of Congress, Jefferson Papers, second ser., LI. 21; *Letters* (ed. Ballagh), I. 412.

ation. Their first, was by industriously circulating the bills of *pacification* as they call them, before they had passed into Acts, in order to prevent our closing with France. These bills received a comment from Congress on the 22d of April, which no doubt you have seen.² The inclosed paper will shew you the second attempt from Lord Howe and Gen. Clinton, with the answer of Congress.³ The third movement happened very lately, when Clinton desired a passport from Gen. Washington for Dr. Ferguson to come to Congress with a letter from the newly arrived Commissioners Lord Carlyle, Wm. Eden esqr. and Governor Johnston. The General refused the passport until Congress should give leave. Their letter from Clinton was transmitted here, but the impatience of the Commissioners did not suffer them to wait for an answer. Thro the medium of the General, leaving their Secretary Dr. Ferguson behind, the packet arrived containing a letter from the Commissioners with a copy of their Commission. Their letter is a combination of fraud, falsehood, insidious offers, and abuse of France, concluding with a denial of Independence. The *sine qua non* being withheld, you may judge what will be the fate of the rest. An answer has not yet been sent. In due time you will have both the letter and its answer.⁴

350. CHARLES THOMSON, MEMORANDUM.¹

[June 16, 1778.]

All agree the terms are inadmissible ² Some think the insulting way that the whole letter so far as read is an insult; First as it is grounded on a

² See nos. 207-209, 213-216, *ante*.

³ See the *Journals*, June 6, and nos. 326, 327, *ante*.

⁴ See the *Journals*, June 11-13, 15, 16; also nos. 340, 343-345, *ante*, and nos. 350-352, 354-360, 370-373, 378, *post*. The committee appointed June 16 on the letter of the British commissioners was composed of the same members although named in a different order, as the committee of June 6 on the letters of Howe and Clinton; and two of the same members, namely, Richard Henry Lee and Samuel Adams, were of the committee on Washington's letters of June 7 and 9 (see the *Journals*, June 9, 11), which were concerned with essentially the same subject.

[350]¹ N. Y. Pub. Lib., Samuel Adams Papers. The document is in the writing of Charles Thomson, but bears an endorsement in Adams's writing (probably placed there at a later period) which reads, "Respecting the ground taken by Congress with English Coms. under Lord North's Conciliating bill".

² This paper is evidently a discussion of the course which Congress should pursue relative to the letter of the British commissioners, Carlisle, Eden, and Johnstone, received by Congress June 13. After some discussion of the question on the 13th (Saturday), and again on the 15th and 16th, the matter was referred to a committee, who reported a draft of a reply in the afternoon of the same day. This underwent further discussion until the 17th, when a reply, which was drawn by Gouverneur Morris, was adopted. Richard Henry Lee and Witherspoon also drew up replies (nos. 351, 352, *post*), but whether these were proposed in Congress or only offered in committee is not known. In the *Writings of Samuel Adams* (ed. Cushing), IV. 25, is an address to the British commissioners (together with Lord and General Howe), there and elsewhere credited to Samuel Adams, but which was actually written by Gouverneur Morris (see no. 378, *post*). The present paper, being in Thomson's writing, may reasonably be assumed to be of his authorship, and the most probable explanation of its being among Adams's papers is that Thomson saw fit to draw up an argument of the case and put it into the hands of Adams, a member of the committee. At the same time it appears to present the possible lines of action suggested in the course of debate in Congress. William Henry Drayton, another member of the committee, also employed his pen in replying to the commissioners, but it was as a member of the committee on publication (see the *Journals*, June 17, and nos. 351, 352, 378, *post*).

supposition that we are so devoid of understanding and every sense of honor as to violate the treaties we have just entered into and give ourselves up to the mercy of those, who have demonstrated that they have the will if they had but the power to reduce us to abject slavery and that they would exterminate rather than not subject us.

2. As it accompanies these inadmissible terms with reproaches against that power which steps in to rescue us from destruction; thereby supposing that we have not sense to feel nor spirit to resent abuse offered to our friend.

The question is in what manner to treat this letter.

1. Whether to enter into a train of reasoning and shew that from a regard to safety, and the faith due to treaties Congress cannot listen to terms short of independence, or

2. Leaving the Commissioners to draw that conclusion, to reject it on the footing of the insult contained [in] it, or

3. To unite these and comprehend both in the answer

The first is a temporising method and will shew that Congress have not a full confidence in the firmness and persevering spirit of their constituents: For such a train of reasoning cannot be for the purpose of enlightening the understanding or convincing the judgment of the Commissioners but of the people of this continent. What occasion for this if they are convinced of their independence and determined to support it. Besides it will inspirit our enemies as it will convince them Congress have not a full confidence in the establishment of their independence or their resources for supporting it. For who but a simpleton attempts to prove a self evident proposition.

Second. Rejecting the letter on the ground of the insult, which may be considered as double in offering chains to freemen and abusing our friends; will carry all the force of reasoning on the first ground: It will do more, it will appall our enemies and inspirit the friends of the cause. The Com's. will thereby see that nothing short of Independence will be listened to and must therefore come to that or break off the conference; and that even admitting independence they must treat our allies with respect. It will carry with it to the Com's a conviction of the confidence Congress have both in their cause and resources, and must therefore force them to a speedier Declaration of their further powers if any they have.

3. Mixing both will only weaken the force of the reasoning on the second ground.

351. RICHARD HENRY LEE, DRAFT OF LETTER TO THE BRITISH COMMISSIONERS.¹

[June 16, 1778.]

My Lords and Gentlemen

I have received your letter of _____ and laid it before Congress with its inclosures. In answer I am instructed to inform you, that Congress ever ready to stop the effusion of human blood, have been induced

[351]¹ Am. Phil. Soc., Lee Papers, vol. II. p. 128, no. 36; *Letters* (ed. Ballagh), I. 414. The second sentence of the text as here given presents a somewhat different interpretation of the interlineations of the draft from that found in Ballagh.

to hear your letter read thro out, and to consider its inclosures and that having Considered it with a coolness that, notwithstanding the very inadmissible and offensive things that are contained in the former, Tho It is impossible Congress can fail to be affected with the highest resentment at the indignity offered them by the indecent reflections you have thought proper to make upon his most Ch. Majesty the Great and good ally of these States. The Commission from his Britannic Majesty under which you act, a copy of which you have inclosed, and the Acts of Parliament on which the Commission is founded, being both formed upon the idea of the good people of these States being Subjects of the Crown of Great Britain, and proposing peace upon dependent principles and a return to the domination of a power that hath accumulated every injury and insult, on their unoffending State, Congress consider them both as totally inadmissible, and cannot consent to any further communication on such grounds. I am further instructed to inform your Excellency that Congress will be always ready to enter upon the Consideration of a Treaty of Peace, when a sincere disposition thereto shall be evidenced on the part of G. B. by an explicit acknowledgement of the Independence of their States, and by withdrawing his Fleets from our Coasts and his Armies from the 13 States.²

352. JOHN WITHERSPOON, PROPOSED LETTER TO THE
BRITISH COMMISSIONERS.¹

[June 16, 1778.]

I received Your Letters and Papers accompanying them which have been laid before Congress and read. By them I am instructed to inform you that they are and invariably have been desirous of Peace as with all the World so more especially with great Britain. This Desire is not yet extinguished even by the extreme Barbarity with which the present War has been carried on by the Forces of that Nation.

I am particularly desired to mention to you that they are surprised how you could think thus throwing out such Reflections as are contained in your Letter against the King of France with whom they are in Alliance would contribute to hasten an Accommodation. They are sensible of their Obligations to him and firmly resolved to abide by their Engagements.

I am further desired to assure you on the most explicit Terms that Congress are determined to enter into no Treaty unless you have Powers either expressly to acknowledge the Independance of the united States of America or immediately to withdraw the british Forces from every part of these States.

You know best your Instructions and reserved Powers. If therefore you think that after the above Declaration there is Room for any further Discussion Gen. Washington is directed to grant a Passport to Dr Ferguson to come to this Place ²

² See nos. 348-350, *ante*, 352, 378, *post*.

[352]¹N. Y. Pub. Lib., Myers Coll., Continental Congress, p. 258. Witherspoon was a member of the committee appointed June 16 to prepare an answer to the letter of Carlisle, Eden, and Johnstone, and this paper is endorsed by him, "Draught of a Letter to the Commissioners to be given in to the Committee".

² Cf. the letter offered by Richard Henry Lee, no. 351, *ante*, and the letter adopted (*Journals*, June 17), which was drawn up by Gouverneur Morris (see no. 378, *post*).

353. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO HORATIO GATES.¹

YORK TOWN 17th June 1778.

Sir,

Three days ago I had the honor of presenting to Congress your favor of the 10th with several other papers put into my hands by Colo. Malcomb² these were committed to the Board of War with orders to act upon them without Report and I believe what appeared to be necessary has been done by the Board from whence Colo. Malcomb intimates he has received his dispatches. . . .

354. HENRY LAURENS TO HORATIO GATES.¹

(Private)

YORK TOWN 17th June 1778

Dear Sir,

I troubled you with a few private Lines on the 13th by Crugier.² Congress have not determined their answer to the British Commissioners Address, although I foresee it will be a very short one. when that is finished the whole will probably be published.³ in the meantime I consider 'Sir your situation and distance from the Center of intelligence and conclude that the following brief account of the Address will not be unacceptable.

There is rather a repletion in the direction of the Paper leaving no room for caret on that score.⁴

The Commissioners after the necessary preface observe—"That in the present state of our affairs tho' fraught with subjects of mutual regret all parties may draw some consolation and even auspicious hope from recollecting that cordial reconciliation and affection have in our own and other Empires succeeded to contention and temporary division not less violent than those we now experience.

they wish not to recall subjects now no longer in controversy. observe that the Acts of Parliament which they transmit and refer to, passed with singular Unanimity.

they are willing to consent to a cessation of hostilities by Sea and Land. to extend every freedom of Trade that our respective Interests can require. (Who is to adjust this point) to agree that no Military forces shall be kept up in the States without our Consent. to concur in measures calculated to discharge the debts of America and to raise the

[353]¹ N. Y. Hist. Soc., Gates Papers, XII.; Library of Congress, President's Letter-Book, I, 369.

² Col. William Malcom of New York. See the *Journals*, June 2, 6, 19. Laurens wrote to Washington June 17 "Yesterday I signed a Commission to William Malcom Esquire to Rank Colonel, by order of Congress, from the 11th March 1776" (Washington Papers).

[354]¹ N. Y. Hist. Soc., Gates Papers, XII.

² The postscript of the letter of June 13, no. 340, *ante*.

³ Congress reached a determination later in the same day. Cf. nos. 350-352, *ante*, 355-360, 370-373, 378, *post*. The proceedings were printed in the *Pennsylvania Gazette* of June 20.

⁴ See no. 331, note 2, *ante*.

Credit and Value of the Paper circulation. to perpetuate our Union by a reciprocal Deputation in Parliament and in the several General Assemblies.

In short to establish the Power of the Respective Legislatures in each particular *State*, to settle its revenues its Civil and Military establishment and exercise a perfect freedom of Legislation and internal Government so that the British *States* throughout North America acting with us in Peace and War under one common Sovereign may have the irrevocable enjoyment of every privilege that is short of a total separation of Interests or consistent with that Union of force on which the safety of our common Religion and Liberty depends."

The French Court are illiberally charged with insidious practices. this gives much offence. If all the fine things now offered had been tendered some time ago, admitting their solidity, there can be no doubt but that the People of America would joyfully have embraced the proposition, but now what answer can be given but that which was returned to the foolish Virgins—"the Door is shut" more especially when we reflect that there is no solidity, because all is to be transmitted to Parliament for Ratification "And until such Ratification no such regulation matter or thing shall have any other force or effect or be carried further into Execution than is hereafter mentioned" here's a Boy's Card House tumbled down by a Breath.

"If," say Lord Carlisle, Will'm Eden and Geo. Johnstone Esquires, "after the time that may be necessary to consider this communication and transmit your answer the horrors and devastations of War should continue We call God and the World to Witness that the Evils which must follow are not to be imputed to Great Britain". to whom are the past to be imputed? but are they not now in the very moment of pretended attempts to establish Peace burning ravaging and murdering?

they seem to mistake our understanding as once they did our Resolution.

Colonel Malcom waits I must stop short and assure you I am with great Esteem Dear Sir Your obliged and hum. servt.

HENRY LAURENS

Major Gen. Gates.

355. HENRY LAURENS TO JOHN LAURENS.¹

17th June [1778.]

My Dear Son,

I will endeavor to discharge my debt to your favour of the 14th and 15th both received yesterday.²

you will know sometime to morrow the part which Congress will act respecting the late Address from the Commissioners. it is my duty to subscribe not to Comment when a Letter undergoes for two or three days the consideration and correction of a House of 31, but it is very admissible to say the long delay has given me much anxiety.³

[355]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 188.

² These letters are in *Army Correspondence*, pp. 185, 187.

³ The reply of Congress to the commissioners is in the *Journals*, June 17. Cf. nos. 351, 352, *ante*.

I wished to have returned Govr. Johnston Mr. Oswald and Mr. Mannings⁴ answers, but did not think the correspondence Lawfull without leave of Congress, or, say *judged it best to apply for leave* it was not unanimously granted and I preferred withdrawing my petition to a denial, because this might have ruffl'd me⁵ you will smile with some contempt when I explain this matter fully. if this refusal would be productive of the expected benefits I should be content, even rejoice. it would be a politic measure. in the present case, all the weak and wicked, with whom Govr. Johnstone has corresponded and will correspond, will make him flattering returns. those Gentlemen who would attempt to open his Eyes and persuade him to undeceive himself will not be heard. honor will command Silence to the latter—the former will laugh at Proclamations. however I will endeavor to send you the Speeches which were intended to have been Spoken, as well as the Letters received from Philadelph'a possibly the General may Spare time to peruse that from Mr. Oswald who, if I do not misconstrue him, only wishes for our Dependence, but does not expect it and hence I conclude the commissioners are now or soon will be in possession of full powers, to acknowledge the Soveignty of these States. . . .

356. THOMAS MCKEAN TO THE PRESIDENT OF DELAWARE
(CAESAR RODNEY).¹

Dear Sir,

. . . . I have lived to see the day when, instead of "Americans licking the dust from the feet of a British Minister," the tables are turned. The Commissioners are, Frederick Earl of Carlisle, Richd. Viscount Howe, Sir Henry Clinton, Wm. Eden Esquire (one of the Lords for trade and plantations and brother to the late Governor of Maryland) and Captain George Johnstone, commonly called Governor Johnstone. The last Gentl sent me a Letter from an old Correspondent in London,² warmly recommending him as a Commissioner of peace, and begging that I would receive him among my friends, as he most ardently desired it etc. Several Members of Congress have received such Letters; but no Answers will be given by Individuals, it being treason to correspond with Enemies by the laws of Pennsylvania.³ The Commissioners have sent us again the three Acts of Parliament, their Commissions from their Sovereign, and their Propositions; w'ch in brief are, to suspend hostilities by Sea and Land immediately, to join in supporting our Paper money, to agree that we shall govern ourselves in all cases, excepting matters of trade, and for the equal adjustment of that, the British Nation shall have Agents in

⁴ Richard Oswald subsequently had an important part in the peace negotiations. For Laurens's prior relations with him, see Wallace, *Laurens, passim*. William Manning was the father-in-law of John Laurens. See *ibid.*, p. 299. Cf. no. 346, *ante*, and no. 358, *post*.

⁵ See the *Journals*, June 17. The "intended" letter of Laurens to Johnstone is found under June 14, no. 346, *ante*. See especially no. 358, *post*. Cf. nos. 356, 360, 373, *post*. [356]¹ Hist. Soc. of Pa., Dreer Collection, Signers, II. 40.

² Dennis Deberdt. See no. 357, *post*.

³ Cf. the *Journals*, June 17, and see nos. 340, 346, 354, *ante*, and nos. 360, 373, *post*.

Congress to have a voice there, and Congress or the several States, to appoint Agents in Parliament, who are to have a voice there; and in fine seem willing to any thing but a total separation; they desire we should have the same King, the same wars and the same peace.⁴ In my opinion their propositions cannot be fully supported by the Acts of Parliament. Be that as it may, Congress will again repeat; acknowledge our Independence or withdraw your fleets and armies, and we will enter into treaty with you. This answer will be sent off to day, and as soon as it is received you may expect to hear the Enemy have evacuated Philad'ia, if that should not be done sooner.

Be upon your guard with regard to Letters from the Enemy; they intend to seduce, corrupt and bribe by every method possible. Keep the whole militia under marching orders, if you have the power. Warn the people to double their vigilance, and not be lulled with these pleasing prospects, lest they meet with some terrible stroke, when they do not expect it.

YORK TOWN June 17th 1778.

P. S.

357. THOMAS MCKEAN TO MRS. MCKEAN.¹

My dear Sally,

. . . . No other Delegate but myself from Delaware, nor likely to be for some time.

The Commissioners from Great Britain are, Frederick Earl of Carlisle, Richard Viscount Howe, Sir Henry Clinton Knight of the Bath, William Eden Esquire, one of the Lords for trade and plantations, and George Johnstone, Esquire, Captain of a man of war, commonly called Governor Johnstone. They have sent a copy of their commission from their King to Congress, with a Letter directed to "His Excellency Henry Laurens President and the other members of Congress at York-Town," and call us States (not Colonies or Provinces) throughout. My old correspondent Dennys De Bert² Esquire of London has written to me a Letter of recommendation of Governor Johnstone, in very flattering terms, as he desired an intimate acquaintance with a Gentleman of such abilities etc. as myself; which Letter the Governor sent with the dispatches from the Commissioners.³

To these they have received an answer "Acknowledge our Independence or withdraw your fleets and armies, and we will treat with you for peace and commerce[""] etc. This answer was agreed to unanimously, by 31 members, the whole number in York-Town.

YORK-TOWN June 17th 1778.

⁴ See the *Journals*, June 11-17. Cf. no. 354, *ante*.

[357]¹ Hist. Soc. of Pa., McKean Papers, VI. 18.

² See nos. 356, *ante*, 373, 422, 429, *post*.

³ Here follows a summary of the propositions of the commissioners, varying but little from that given in the letter to Rodney, no. 356, *ante*.

358. HENRY LAURENS TO GEORGE WASHINGTON.¹

YORK TOWN 18th June 1778.

Dear Sir

It has not been in my power with any convenience to make an earlier acknowledgement of Your Excellency's favor of the 11th.²

There were Letters in the Commissioners Packet only for Congress and particular Members then present in the House, one for Mr. E. Rutledge unsealed and several also unsealed were brought as being taken from the Express—the utmost caution is necessary in the present conjuncture of our affairs and therefore had any suspicious directions turned up, such should have passed under the Eye of Congress. The Idea of opening other people's Letters is exceedingly abhorrent to me, but I think Congress have a power over Letters equal at least to that which necessity obliges them sometimes to exercise over persons; but Governor Johnstone is too well hackney'd in the ways of Men to trust his deep schemes within our reach.

His private Letter to me, by the bye, is notwithstanding all his good sense, no proof of an infallible judgement. I am sure it is one of his having mistaken his Man. I take the liberty of transmitting it, together with my intended answer³ and the letters from Mr. Oswald and Mr. Manning under this Cover for Your Excellency's perusal.⁴ There are some traits in Mr. Oswald's which strongly imply a determination on the part of Great Britain, but reserved as the ultimatum, to submit to our Independence. I am much inclined to believe those Commissioners now are or soon will be vested with powers for that purpose. Mr. Oswald is a Gentleman of solid understanding and quick perception, of a very large Independent fortune much exceeding a quarter of a Million Sterling, often consulted by Administration; for the goodness of his heart I refer you to this particular part of his Character. he is no place Man, but much Esteemed by the first Men of each of the political parties.⁵ great reliance may be placed on what he writes or even hints.

Yesterday there was an extraordinary Motion on our floor for calling upon Members to lay before Congress such Letters as they had received from the Commissioners or other persons, meaning persons in Great Britain on Political subjects⁶ I could not forbear offering some objections; it appeared to be a dangerous attempt to stretch the power of Congress, my letters had been read by many Members and were at the service of every Gentleman who should request a perusal, but I could never consent to have my property taken from me by an Order from my

[358]¹ Library of Congress, Letters to Washington, XXIV. 52; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 186; *Letters to Washington* (ed. Sparks), II. 140.

² Washington's letter of June 11 is in *Writings* (ed. Ford), VII. 57, (ed. Sparks), V. 400.

³ See no. 346, *ante*.

⁴ See no. 355, note 4, *ante*.

⁵ *Cf.* no. 340, *ante*.

⁶ While the action of Congress June 17 took a somewhat modified form, a motion of this character did prevail July 9. See also the *Journals*, July 16, 18, Aug. 11, 12. *Cf.* nos. 360, 422, 429, 462, 499, *post*. *Cf.* Wallace, *Laurens*, pp. 295-299.

fellow Citizens destitute of authority for the purpose. this circumstance and some remarks which followed have induced me to put Govr. Johnstone's Letter and my intended answer into Mr. Drayton's hands who is collecting materials for displaying the Governor's good designs and no doubt he will according to his usual tone add pretty severe stricture. among other Papers I transmit to Your Excellency Copies of the Commissioners Address to Congress and of their Commission. these are to be published by order.⁷ If no mistake was made a Copy of the Answer of Congress was sent to Your Excellency yesterday in my Public Letter.

I pray God to support and direct Your Excellency in this moment of extraordinary tryal and I am with the most sincere Esteem and Regard Dear Sir

Your much obliged and Obedient humble Servt.

HENRY LAURENS.⁸

359. JAMES LOVELL TO HORATIO GATES.¹

June 18th 1778

Dear General

. . . . No Peace can take Place in Consequence of any Powers we have seen of the King's Commissioners. Saturday's Paper will contain the whole of what has hitherto passed. I can only say, they do not allow *Independence*; therefore they might have tarried at Home.

They call on God to witness that *future* Carnage will not be chargeable against Britain, if we refuse to listen to the Terms now offered.²

360. HENRY LAURENS TO HORATIO GATES.¹

YORK TOWN 19th June 1778.

Dear Sir,

By Colo. Malcolm yesterday I had the honor of writing you a few lines while that active Spirit sat jogging my Elbow for dispatch.

The contents of the several Papers which will accompany this will appear in print some time to morrow.² These will probably be two or three

⁷ See the *Journals*, June 17, and nos. 350-352, 354-357, *ante*, 359, 360, 370-374, 378, *post*.

⁸ A letter from General Conway, dated June 17, read June 18, bears the following endorsement in Laurens's writing: "Gen. Conway 17th June dd. to me the 18th at ½ p. one oClock in presence of Colo. Bartlet Mr. Wentworth and Mr. Carmichael Presented to Congress at 3 oClock meeting." For an endorsement on a letter of Conway June 19, see the *Journals*, p. 624 n.

[359]¹ N. Y. Hist. Soc., Gates Papers, XII.

² The proceedings were published in the *Pennsylvania Gazette*, June 20, Cf. nos. 358, *ante*, and 360, 378, *post*.

[360]¹ N. Y. Hist. Soc., Gates Papers, XII.; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 190.

² The Library of Congress does not possess a copy of the *Pennsylvania Gazette* of June 20, in which the letters from the British commissioners, the proceedings of Congress, etc., appeared, but apparently the whole was reproduced in the *Pennsylvania Packet* of July 4 and July 9. The publication is introduced by a letter from William Henry Drayton to the printers of the *Pennsylvania Gazette*, dated June 17, and includes Johnstone's letter to Laurens June 10 and Laurens's proposed reply, of June 14. William Henry Drayton's address to the commissioners, June 17, is in the issue of July 9. The matter was also reprinted in other papers, among them the *Gazette of the State of South Carolina* (July 22, and "Extraordinary", July 24), and the *South Carolina American and General Gazette* (July 30). See also no. 381, *post*.

days in front.³ I think Sir you are intitled to some of the first fruits of all important Public intelligence and therefore I had directed the inclosed Copies to be taken for your use.

The correspondence between Govr. Johnstone and myself was not intended for the Public eye but a certain Itch for knowing it both in and out of Doors combined with private considerations respecting myself which you will understand Sir, without explication prevailed on me to send it abroad in the very shape, meaning my answer, in which first impulses had formed it immediately after reading that Gentleman's Address.⁴

I am with great Esteem and Regard Dear Sir
Your obedient and Most hum. Servant

HENRY LAURENS.

The Honorable Major General Gates.

Next Week will produce you curious private applications to Members of Congress etc. I have an Instance before me in which a great Man concludes, "lose not the feelings of Christians in the resentment of Men and as you have nobly fought now act more nobly and forgive us"  one part of the Mission is to grant Pardons.

sing tantarara All Mad.

361. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

19 June [1778.]

Dear Sir

. . . . Congress have done nothing yet respecting Monsr. Tousard² and Colo. Armand.³ I believe the business lies in the Board of War, and will enquire about it. I never heard before of Chevr. De Fayolles or it has escaped my Memory.⁴ possibly he may appear under a different appella-

³ That is, the enclosures will reach Gates two or three days earlier than the issue of the *Pennsylvania Gazette* in which they are to be printed.

⁴ In effect Laurens is anticipating the order of Congress July 9, that all private letters from the British commissioners to members of Congress be laid before that body.

⁵ The quotation is from the letter of Dennis Deberdt to Joseph Reed, Apr. 10 (see no. 373, *post*). As printed in the *Life of Reed*, I. 375, it reads, "lose not the feelings of the Christian in the resentment of the man, and as you have nobly fought, act more nobly and forgive". Cf. nos. 356-358, *ante*.

[361]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept. 1778, p. 191.

² Lafayette had expressed the wish June 4, and again June 7 (*S. C. Hist. and Gen. Mag.*, VIII. 182, 187), that Congress would grant Capt. Louis Tousard a major's commission. In his letter of June 12 (*ibid.*, IX. 4), to which Laurens is replying, he merely asks Laurens what, in his opinion, Congress will probably do in the cases of Tousard, Armand, and Fayolles. See the *Journals*, June 4, 9, Oct. 27. On the latter date Tousard was given the rank of lieutenant-colonel by brevet. A sketch of him is in Appleton, *Cyclo. Am. Biog.* See also Heitman, *Hist. Reg.*, and Wharton, *Rev. Dipl. Corr.*, IV. 493, V. 501.

³ See nos. 168, 288, *ante*, and the *Journals*, June 25. In almost every letter to Laurens Lafayette had been urging the determination of Armand's affair. He repeated his insistence in a letter of June 23 (*S. C. Hist. and Gen. Mag.*, IX. 7).

⁴ Nevertheless, the Chevalier de Fayolles had been a subject of correspondence between Laurens and Lafayette only five weeks before. See no. 266, *ante*. Sept. 10 Fayolles made a further representation to Congress, asking that the agreement made with Silas Deane in November, 1776, whereby he was to be given a commission in the

tion wh. I have observed frequently in the Addresses to French Gentlemen. I delivered the Paper concerning the West Indies to Congress who seemed by expressions to be properly impressed with a sense of your Excellency's Zeal and good will for our Cause, but the late Treaty is a bar to an attempt at this time.⁵

362. SAMUEL ADAMS TO JAMES WARREN.¹

My dear Sir,

I have Time only to write you a few Words by Captn. Landais who is appointed by Congress to the Command of the new Ship of War *Alliance*.² This Gentleman is esteemed for his Experience and Knowledge in Marine Affairs and will go first to Portsmouth to direct in the Construction of the Ship designd to be built there. I wish you would (with the other Gentlemen of your Board) assist him with a popular as well as able Lieutenant: popular, because as he is a frenchman, it may be difficult for him to procure a sufficient Number of American Seamen. He is in hopes of getting french Sailors out of the Vessels that are or may be at Boston, etc.

I will by the next Post send you a full Account of our late Transactions with the British Peace Makers which conclude with confirming on our Part our former Resolutions.

We have just recd. Advice that the Enemy have totally evacuated Philadelphia and we expect every moment to have the News confirmd. Mr. Hancock and Dr. Holton are arrivd. The last mentiond deliverd me a Letter³ from you which I will more fully acknowledge in my next. Adieu my Friend.

S. ADAMS.

YORK TOWN June 19, 78.

363. SAMUEL HOLTEN, DIARY.¹

[June 19, 20, 1778.]

19.² Being somewhat indisposed and not having proper lodgings, I did not take my seat in Congress. We are informed by Gen. Washington that

service of the United States as lieutenant-colonel, be complied with, "or at least a letter which may convince the french ministry that his want of success has only proceeded from the Refusal of Congress". He added that he was induced to make the request "to avoid the censure which their Refusal to employ him in the month of September 1777 may Subject him to on his return to his own Country, and he hopes from the justice of the Congress, that they will have the goodness to attend to his request" (Papers Cont. Cong., no. 43, f. 77). The letter was merely referred to the board of war.

⁵ Cf. nos. 310, 313, *ante*.

[362]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 213; *Warren-Adams Letters*, II. 22.

² See the *Journals*, May 9, 29, June 19; also nos. 314, 316, 317, *ante*, and no. 366, *post*. A letter from the marine committee to Landais, notifying him of his appointment, is in Paullin, *Out-Letters*, I. 259, dated June 18. See also the committee's letter to the navy board of the Eastern department June 18, *ibid.*, p. 258.

³ Warren's letter of May 31, in *Warren-Adams Letters*, II. 13.

[363]¹ *Essex Institute Historical Collections*, LV. 165.

² The preceding entries in Holten's Diary, besides some memoranda of matters he was to attend to at Congress, record briefly the journey from Danvers, from which he set out May 25, to York Town, where he arrived June 18. The Diary extends to Aug. 23, 1780.

the Enemy have left the City of Philadelphia and our people have taken possession. The people here are not at all obliging. I want to git from this house.³

20. I have not taken my seat in Congress for the reasons mentioned yesterday.

364. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

YORK TOWN 20th June 1778.

Sir

Yesterday I had the honor of presenting to Congress Your Excellency's favors of the 18th Inst. A M and P M.²

At present I have only in charge to transmit the Report of the Committee appointed to examine the evidence collected and to state charges against the General Officers at Tyconderoga etc. which Your Excellency will be pleased to receive inclosed with this.³

And I take the liberty of adding twenty Copies of this days *Gazette*⁴ containing the British Commissioners Address to Congress, etc. etc.

[P. S.] Major Campbell's new Commission is "a Brevet Lt. Colonel, this Rank to have effect only in the Western department not to affect any Officer in the Virginia line nor to entitle him to any other Pay than that of Major, the Rank he held previous to this appointment, to rank from 20th Febr'y 1778".⁵

The bundle of Papers relative to an enquiry came to hand yesterday with Your Excellency's 2d Letter.⁶

³ His dissatisfaction with his boarding-house had been emphatically recorded in the preceding entry.

[364]¹ Library of Congress, Letters to Washington, XCII. 22; President's Letter-Book, II. 4.

² Washington's letters are in *Writings* (ed. Ford), VII. 66, 68, (ed. Sparks), V. 409, 411. The *Journals* record the letters as having been read June 20.

³ See the *Journals*, June 12, 20.

⁴ See no. 360, *ante*.

⁵ This was Maj. Richard Campbell of Virginia. The *Journals* do not record the granting of this brevet. Gen. Lachlan McIntosh had written to Washington, Sunday, June 7: "This is the ninth Day since I have been in York, regularly attending each day upon the Board of Warr, and seem not to be much forwarder in my Expedition than at first. . . . I submit to your Excellency, if it will not be necessary to send the bearer Major Campbell back to me again either in the capacity he is now in, or as Lieut. Colonel if he is entitled to it, as the 13th Regiment has no other Field Officer but Colo. Russell, and I have reason to think it would not be disagreeable to himself" (Library of Congress, Washington Papers). Washington replied June 10 that in consequence of this request Major Campbell would set out the next day to serve with him (*ibid.*). To President Laurens he wrote on the same day, recommending that "a Commission for a Lieutenant Colonelcy in the Virginia Line, to which he has been intitled in the ordinary course, since the 20th of February last", be granted to Major Campbell, if Congress shall think proper (Papers Cont. Cong., no. 152, vol. VI., f. 97). At the foot of the letter, in a writing other than that of the body of the letter, is this note: "There are elder Majors in the Virginia line than Major Campbell." This letter bears an endorsement by Secretary Thomson that it was "read 15 referred to the board of war". In another hand is the notation, "acted upon". With regard to an earlier question concerning Campbell's rank, see the *Journals*, May 13, 1777.

⁶ See the *Journals*, June 20, p. 629.

365. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO WILLIAM HEATH.¹

20th June [1778.]

Sir

Since my last of the 26th Ultio. your favor of the 25th of that Month came to hand and has been presented to Congress—but I have received no commands except the Inclosed Act of Congress of the 17th for preventing all Correspondence between the Enemy and private persons Citizens of these States—to which I add three of this day's *Gazettes* containing very important and interesting intelligence.

With respect to the unhappy Culprit under sentence of Death Mr Hancock has said nothing since his arrival, and Congress take it for granted that the sentence will be executed on the day which you had assigned.²

I should acknowledge also the receipt of your favor of the first Instant, and if I mistake not, there is another which the Secretary has not given me the date of. I recollect the subject of the other Letter to have been on Colonel Armand's enlisting Deserters—it is committed and not reported.

366. SAMUEL ADAMS TO JAMES WARREN.¹

Dear Sir,

In my Letter of yesterday's date (by Capt. Landais) I promised to write again by the next Post, and give you a full Account of our Transactions with the British Peace Makers. Cap Landais after the ensealing of my Letter obtained a News Paper which he intends to deliver to you.² That will answer the Purpose. The President has informd us of an opportunity previous to the Post which I readily embrace.

YORK TOWN June 20, 78.

[365]¹ Library of Congress, President's Letter-Book, II. 7; Mass. Hist. Soc., Heath Papers, X. 52.

² Heath's letter of May 25 (Papers Cont. Cong., no. 157, f. 144) relates to Ensign Brown, under sentence of death. Letters of May 9 (*ibid.*, f. 125) and 11 (*ibid.*, f. 140) relate principally to the same subject. In the letter of May 11 he says he is informed that the friends of Ensign Brown waited on Mr. Hancock and requested his interest, which he understands Hancock has promised. "The case of Brown may not be determined untill Mr. Hancock arrives least the Friends of the Culprit should think that I was not treating them fairly." An endorsement on the letter of May 9 records that both the letters of May 9 and 11 are "ordered to lie until the arrival of Mr. J. Hancock". In the letter of May 25 he says:

"The Honble, Mr. Hancock did not begin his journey on thirsday as he intended, his Lady being near the hour of travel, and is since delivered of a Son which was christened yesterday by the name of John George Washington. Mr. Hancock now intends siting out for Congress the latter end of this week.

"The friends of Ensign Brown are very anxious that Mr. Hancock should be in Congress when their Petition is considered." The petition is *ibid.*, p. 129, and is endorsed as "read 15 July, 1778. Ordered that it be dismissed". See the *Journals*, July 15, 20, Oct. 22, Nov. 28, Dec. 2, and no. 441, *post*.

[366]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 214; *Warren-Adams Letters*, II. 23.

² Probably the *Pennsylvania Gazette* of June 20. See no. 360, *ante*.

367. RICHARD HENRY LEE TO JOHN ADAMS.¹

YORK IN PENNSYL'A 20th June 1778

My dear Sir:

. . . . The Treaty with France was soon ratified here, desiring only that the 11th and 12th Articles might be reconsidered and omitted. Three Copies of ratification have been sent away from hence near a month and now 3 more are dispatching. The former dispatches would inform you the determination of Congress upon the English Acts of pacification before we knew of our new Alliance, and these will acquaint you with the reception Messrs the Commissioners from London have met with. The figure they cut is truly ridiculous.²

The friends to the future happiness and glory of America are now urging the Confederation to a close, and I hope it will be sighed in a few days. All but a few delegates have powers, and those that have not come from Small States that will undoubtedly fall in.³ Our next business is Finance, and this is a momentous point in deed. Every State exclaims We are overflown with our emissions of money yet all seem to be going on in the same beaten Track, and will I fear until invincible Necessity shall force a change.

368. JOHN HANCOCK TO MRS. HANCOCK.¹YORK TOWN, June 20th, 1778,
Saturday morning.*My Dear Dolly,*

I arrived at this place the 18th Inst. after a most fatiguing Journey, bad roads and miserable entertainment, but thank God I am in tolerable health.

[P. S.] We have this moment an account that the enemy have evacuated Philadelphia and that some of our Troops have march'd in, and taken possession of the City.²

369. HENRY LAURENS TO PHILIP SCHUYLER.¹

20th June [1778.]

Dear Sir

At length I can tell you the Report of the Committee with Charges stated against the Commanding officer in the Northern department and the General Officers who were at Tyconderoga when that Post was abandoned last Year is gone to the Commander in Chief.²

[367]¹ *Letters* (ed. Ballagh), I. 416; Adams MSS., Boston.

² Cf. no. 349, *ante*.

³ See the *Journals*, June 19, 20, 22, 23, 25, 26, 27, July 9, 10. Cf. no. 243, note 4, *ante*, and nos. 372, 376-382, 386, 387, 394-396, *post*.

[368]¹ Mass. Hist. Soc., *Proceedings*, XLVIII. 506.

² The evacuation had taken place in the early morning of Thursday, June 18. The information came to Congress on the morning of June 20 through a letter of General Washington written at "half after eleven A. M.," June 18 (*Writings*, ed. Ford, VII. 66, ed. Sparks, V. 409). Cf. no. 369, *post*.

[369]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 192.

² See the *Journals*, June 12, 20. Cf. no. 338, *ante*.

When the coast is quite clear, Congress will talk of adjourning from hence, but there will be some struggle against meeting in Philadelphia.³

370. JOSIAH BARTLETT TO WILLIAM WHIPPLE.¹

YORK TOWN June 20th. 1778

My dear Sir.

. . . . I make no doubt you have heard of the arrival of His Britannic Majesty's Commissioners and of their letters being sent to Congress. I now enclose you a paper which will inform you of all the transactions of Congress relative to that affair, which will I hope give full satisfaction to every honest American

I have the pleasure to inform you that every member of Congress, were firm and steady, never to make a peace, but on the principles of absolute Independence. I am sorry that the answer was deferred some days, on account of the Zeal of some members, for sealing the letters up, and sending the letters back, without reading in consequence of some harsh expressions against the King of France; however it was overruled as you will see, and a more proper method (in my opinion) taken. What will be their next steps, time only will discover.² In the packet to Congress were inclosed a great number of letters to the separate members. some from Govr. Johnstone to such of the members as he was acquainted with, and others from other persons in England, who had any acquaintance with them.³ The inclosed from Robert Trail came directed to you as a Delegate of Congress, which was opened, and I now inclose it to you.

As to Marine affairs, Congress are very sensible some very essential alterations are necessary, and seem determined to attend to it, as soon as the confederation, and some other very important matters are finished. I wish I could inform you that I thought it would soon happen, but the multitude of business that is daily crowding upon us, and the time it sometimes takes to determine on some not very important matters, makes me fear it will not take place so soon as I could wish. Beside the want of men in Congress acquainted sufficiently with Marine Affairs, is another great difficulty, and causes that Committee to be filled with some persons like myself, unacquainted with the business they are appointed to superintend.

I heartily wish (with you) to see the American navy respectable, and hope it will be put wholly into the hands of men whose private business does not militate with the Public. But I can not be fully of your opinion that it would be for the public service to put an entire stop to privateering; as I think experience has shewn that privateers have done more toward distressing the trade of our enemies, and furnishing these States with necessaries, than Continental Ships of the same force: and that is in my

³ See the *Journals*, Apr. 9, June 20 (p. 626), 24, 27. Cf. no. 368, *ante*, and no. 371, *post*.

[370]¹ Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., p. 211½; Bancroft Coll., Langdon-Elwyn Papers (copy of part); Library of Congress, Force Trans., Whipple, p. 507; *Letters to Washington* (ed. Sparks), II. 142 n. (extract).

² See the *Journals*, June 13; cf. no. 345, *ante*, and no. 378, *post*.

³ Cf. nos. 340, 343, 345, 358, 360, *ante*, 371-374, *post*.

opinion the greatest advantage we can at present expect from our Navy; for at this early period *we* can not expect to have a Navy to cope with the British. However I am quite convinced, that it might, with proper management, be in a much better situation than at present, and should be happy to see it soon take place.

The Congress is at this time pretty full. I know not whither you are acquainted with the President, Mr. Laurens. I think him a very sensible, judicious Man, acquainted with the World, and makes an excellent President. Mr. Drayton the chief judge of So Carolina, is a sensible judicious man, and a good speaker; firmly attached to Independance and not given to the chicane common to Lawyers. Mr G Morris from N York is an eternal speaker, and for artifice a *Duane*, and for brass equal to any I am acquainted with. Mr Adams from Virginia is a Member; he informs me that he was inoculated with you at Elizabeth Town, and desires to be remembered to you. On the whole we have a pretty good Congress and if we have nothing more to fear from British Arms and Policy, than from their Gold, I think you may make yourself perfectly easy as is your sincere friend, and most obedient servant

J: B.

Honble. Wm. Whipple

371. OLIVER WOLCOTT TO MRS. WOLCOTT.¹

YORK TOWN 20 June 1778

My Dear

. . . . I Enclose to you the Proceedings of the Commissioners and the Answer of Congress. This answer as it was most unanimously given, will doubtless close the Correspondence unless G. Britain will accede to the Terms which it proposes. As the Commissioners are using every means to make some Impression upon the Americans, their Conduct will be carefully Watched, altho I am fully of Opinion that every Art of theirs will be totally ineffectual.²

Mr. Hosmore I hear is on his Way to Congress. But I do not hear wheither any Other Delegate is with him. I expect to Return soon. certain Matters of an Important Nature are now in Consideration which I should be much Satisfied to see determined before I leave Congress. I hope they will be so within about the Course of a Week, after which Congress will undoubtedly adjourn to Philadelphia, thro which I shall probably Return home. I hope I shall see you in about a Month.³ . . .

372. THE RHODE ISLAND DELEGATES TO THE GOVERNOR
OF RHODE ISLAND (WILLIAM GREENE).¹

Sir,

YORK TOWN, June 20th, 1778.

Mr. Collins arrived the Day before yesterday, and brought forward Instructions from the Councill of War.² By the last Letter from Mr. Ellery

[371]¹ Conn. Hist. Soc., Oliver Wolcott Papers, II. 54 (2).

² See the *Journals*, June 17, and no. 370, note 3, *ante*.

³ See no. 369, note 3, *ante*.

[372]¹ R. I. Arch., Letters to the Governors, 1778, p. 92; Staples, *R. I. in Cont. Cong.*, p. 188.

² See the *Journals*, June 25, and no. 385, *post*.

and Mr. Marchant, you'll perceive that they were not unmindful of, and had not delayed to impress upon Congress, the critical Situation of Our State, and the late Ravages there committed.³ There needs no Information or complaint against the Clothier General. We shall as soon as we have the least Prospect of Success, urge a Further Supply of Monies to Our State, but it cannot immediately be done: We shall also press the Necessity of some armed Vessells for Our Bay; But we are rather fearful of not succeeding in such an Application. A letter from Genl. Sullivan, pointing out the Utillity would however strengthen Our Efforts.* . . .

Congress have given their Answer to the British Commissioners—the inclosed News Paper, of this Day, will give your Excellency the whole Proceedings which on Our Part, we doubt not will be satisfactory to every American Whig. Confederation was this day taken up by Congress, and we are in hopes of soon seeing it completed: For this is the Grand Corner Stone.⁵ We are, with great Respect to the Honble the Genl. Assembly, their and Your Excellency's

most obedient and very humble Servants,

WILLIAM ELLERY.

H'Y MARCHANT.

JOHN COLLINS.

373. HENRY LAURENS TO JOSEPH REED.¹

21st June [1778.]

Dear Sir

. . . . The Inclosed *Gazette* will shew you Sir, the proceedings of Congress respecting the Commissioners, that I also have been honor'd with a Letter from Governor Johnstone introduced by two from my best Friends in England. And that you judged with Congress in with-holding an Answer to the Governor.

Congress seemed by no means disposed to consent that any private Character should correspond with him and I would not hazard a denial. some strong attempts were made to have all Letters received from Governor Johnstone and from England through him laid before Congress. Many Gentlemen had perused mine, and every one who should have asked might have done the same, but I dont relish compulsion unauthorized. to avoid misconstruction therefore, I submitted to a solicitation for making his Letter to me and my intended Answer just in the shape in which I had carried it to Congress, Public.²

³ See no. 329, *ante*, and no. 385, *post*.

⁴ See the *Journals*, June 25, 26; *cf. ibid.*, June 11, 22.

⁵ *Cf.* no. 367, note 3, *ante*.

[373]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 193.

² See the *Journals*, June 17, 18; also nos. 356-358, 360, 370, *ante*, and nos. 422, 429, 467, *post*. Governor Johnstone had brought a letter to Reed from Dennis Deberdt, his brother-in-law, dated Apr. 10, had himself written to Reed under date of Apr. 11, and it was concerning his proposed reply to Johnstone that Reed was taking counsel of his friends. The letters of Deberdt and Johnstone are in *Life of Reed*, I. 372-377, and Reed's reply, dated at Valley Forge, June 14, is *ibid.*, p. 377. For some account of the course of this letter, which probably never reached the hands of Governor Johnstone,

374. THE COMMITTEE OF FOREIGN AFFAIRS TO THE
COMMISSIONERS AT PARIS.¹

In Committee for Foreign Affairs

YORK TOWN IN PENNSYLV'A, 21 June 1778

Gentlemen

The British Commissioners have arrived and transmitted their powers and propositions to Congress, which have received the answer you will see in the *Pennsylvania Gazette* of the 20th instant. . . .

There has arrived here a Mr. Holker, from France who has presented a paper to Congress declaring that he comes with a verbal message to Congress from the Minister of France touching our treating with Great Britain and some other particulars which for want of his paper we cannot at present enumerate. The style of his paper is as from the representative of the Court, but he has no authentic Voucher of his Mission for the delivery of this verbal message. We desire of you Gentlemen to give us the most exact information in your power concerning the Authenticity of Mr. Holker's Mission for this purpose.²

We are Gentlemen, with esteem and regard

your most obedient and very humble servants

RICHARD HENRY LEE

THOS. HEYWARD JUNR.

JAMES LOVELL

see *ibid.*, p. 378 n. Cf. Laurens's proposed reply to Johnstone, of the same date, no. 346, *ante*. Reed also wrote to Washington June 15 asking his advice in the matter, which Washington gave in a letter of the same date (*Writings*, ed. Sparks, V. 407). The letter to Johnstone, in Reed's writing and signed by him, with the date June 13, is among the Washington Papers. The following letter from Reed to Robert Morris (Library of Congress, Morris Papers; Henkels, *Catalogue*, no. 1183, item 311) may appropriately be included here. It is without definite date, but it was doubtless written on the same day as Reed's reply to Johnstone, June 14. Robert Morris was at that time at Valley Forge (see no. 348, *ante*).

"Dear Sir

"I think the common Terms of Civility and Politeness requires that I should answer Govr. Johnstone's Letter, but as such Correspondence is of a delicate Nature and liable to Misinterpretation I did not chuse to forward my Letter untill I had submitted it to better Judgment than my own, and have therefore taken the Liberty to leave it for your Perusal that if there are any improper Sentiments I may revise it. My Boy will call for it in the Morning. I have also left the Governor's Letter as the Complim'ts made it disagreeable to me to read it entire the other day.

"I am with due Regard, Sir

"Your Obed. Hbbl. Serv.

"Jos: Reed.

"Mr. Nixons Sunday Afternoon."

[374]¹ Am. Phil. Soc., Franklin Papers, X. 49; Wharton, *Rev. Dipl. Corr.*, II. 627.

² See the *Journals*, June 18, 27, July 9, 16, 23. Cf. Wharton, *Rev. Dipl. Corr.* II. 372. At the foot of this letter in the Franklin Papers is the following note: "Count Vergennes Answer respecting Mr. Holker was, that he was astonished, that Mr. Holker had no commission verbal or other from the Ministry; and was only desired to communicate to them his observations on the Country." See the letter of Franklin, Lee, and Adams to the President of Congress, Sept. 17, 1778, in Wharton, *Rev. Dipl. Corr.*, II. 722.

Lovell wrote to Franklin June 20: "By the arrival of Messrs. Simeon Deane, May 2, Courter, May 18, Stevenson, June 10, Holker and Carmichael, June 18, we have the favors of yourself and other friends in continuance. Commissioners will be particularly nominated to transact affairs for us at Lisbon and the Hague, if those courts are well

375. SAMUEL HOLTEN, DIARY.¹

[June 21, 22, 1778.]

21. Sabbath day, being somewhat indisposed did not attend public worship.

22. I took my seat in Congress, and it is a very august assembly.²

376. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF GEORGIA (JOHN HOUSTOUN).¹

22d June [1778.]

Honorable Sir,

I had the honor of writing to you the 9th and 10th Inst. by Messenger Wilkinson through Charles Town and on the 14th Inst. of receiving Your Honour's Letter of the 16th April. Congress were so ardently engaged in business respecting the British Commission at Philadelphia at the time Your Honor's Letter reached [me] and for a few days after as deprived me of opportunity to present it before the 19th. it was then, with Genl. Howe's Letters and one from the Honorable Mr. Speaker Committed to a select Committee, from whom no Report is yet come up and possibly in our present crowd of business may not be made. I am persuaded it will not be taken under consideration, for several days. Congress seem determined to suffer no other matter to come before them if possible to avoid it until they shall have Ratified Confederation. in these circumstances I have judged it proper to return your Messenger, whose expences are in this place intolerable, and I expect to have an opportunity of writing by Colo. Marbury full as early as I shall receive commands. if it shall happen otherwise an Express Messenger shall be dispatched.² . . .

This day carried us through two of three objections to articles of confederation from Maryland. the third will be decided by a question to morrow Morning without farther debate and without alteration. admitting this, the whole will be ratified in the original form within three days. I am not apprehensive of any long debate except from South Carolina, and her Delegates have full power.³

disposed towards us" (Wharton, *Rev. Dipl. Corr.*, II. 626). See also Samuel Adams to John Adams June 21 (*Writings of Samuel Adams*, IV. 39). Concerning Carmichael, Adams says: "Mr. Carmichael comes strongly recommend[ed] by Dr. Franklin and Mr. Silas Deane; but Dr. Lee in his Letter gives Reasons why he cannot place a Confidence in him." Cf. James Warren to Samuel Adams, May 13, *Warren-Adams Letters*, II. 10.

[375]¹ *Essex Institute Historical Collections*, LV. 165.

² Of the actual proceedings of Congress Holten records very little. Indeed, at the close of the Diary he has penned this statement: "I was careful not to make any remarks upon the public affairs in this diary, for reasons I shall not mention at this time." Accordingly, only occasional extracts from the Diary will be found in the following pages. He does, however, mention systematically the persons with whom he came in contact in dinings, walks, rides, and (though less frequently) in conferences.

[376]¹ Library of Congress, President's Letter-Book, II. 8.

² See the *Journals*, June 19, 26 (p. 660).

³ See, however, no. 394, *post*. For the amendments proposed by South Carolina see the *Journals*, June 25 (pp. 652-656). Cf. the speech of Drayton, delivered before the general assembly of South Carolina Jan. 20, 1778, found in Niles, *Principles and Acts of the Revolution*, etc. (1876), p. 357.

377. THE MARYLAND DELEGATES TO THE GOVERNOR AND ASSEMBLY OF MARYLAND.¹

YORK Monday P. M. 22d June, 1778.

Gentlemen,

The Instructions of the House of Delegates of the 18th instant we this morning received in a letter from Mr. Chase, and laid them before Congress; whereupon at our earnest desire, it was resolved to take into immediate consideration the amendments proposed by our State to the Confederation, altho' Congress had previously determined to take up the amendments offered by the several States in the order, in which the States are ranged in the Confederacy, beginning first with Newhampshire, and so on.

This evening the 3 amendments offered by Maryland were debated, and 11 States out of the 12 present, rejected the amendments to the 4th and 8th Articles, so that our State only voted for them. The fate of the most important amendment is not yet decided, the question being put off by adjournment till tomorrow morning, when it will probably be rejected by a majority of eight States out of twelve.

A Confederation at this critical juncture appears to Congress of such momentous consequence, that I am satisfied a great majority are resolved to reject the amendments from every State, not so much from an opinion that *all* the amendments are improper, as from the conviction, that if *any* should be adopted, no Confederation will take place, at least for some months, perhaps years; and in that case, many apprehend none will ever be entered into by all of the present United States; the distractions probable consequent on such an event, and the many dangers and evils, which may arise from partial Confederacies (which you may more easily paint to yourselves than we can express) have determined some States to accept the present Confederation, altho' founded on principles not altogether consistent, in their opinion, with justice and sound policy. For if any amendments should be adopted, it will then be necessary to send the Confederation back to those States, whose Legislatures have empowered their Delegates to sign and ratify it in its present form; for instance, to Newhampshire, New York, Virginia, and North Carolina, the Delegates of which States are positively instructed to ratify the Confederation, as it now stands, and some of them are directed to admit of no alterations, even literary ones, such as would not affect the true spirit and meaning of any article, but only serve to elucidate that meaning and spirit by removing all ambiguity and doubt.

In debating our second amendment, viz. to the 8th article, it was admitted on all sides to be the true meaning and intention of that article, that *all* lands, not only those already granted to, or surveyed for any person, but all lands *hereafter* to be granted to, or surveyed for any person, should be subjected to valuation, and considered as a part of the

[377]¹ N. Y. Pub. Lib., Emmet Coll., no. 3515; Rowland, *Charles Carroll of Carrollton*, II. 7.

whole wealth of the State in which they lie. It was contended by several members that the meaning of the 8th Article is clearly expressed, but confessed by some to be dark and ambiguous, who nevertheless voted against the amendment, for the reasons we have already assigned.

The amendment to the 4th Article was considered by every State, Maryland excepted, as unimportant; the Article not being liable, in the opinion of any other State to the objection made, and consequences apprehended by Maryland.²

23d P. M.

Our third amendment has just been rejected by a Majority of one State; the division was as follows:

Against the Amend't.

N. Hampshire
Massachusetts
Connecticut
N York divided
N. Carolina—absent
South Carolina
Georgia
Virginia

For the Amendment

Rhode Island
Jersey
Pennsylvania
Delaware
Maryland

Inclosed you have a copy of Gen. Washington's letter received this morning. We are with great respect Gentlemen

Your most obdt. hum. Servants

GEO: PLATER

CH. CARROLL OF CARROLLTON.

[P. S.]

378. GOUVERNEUR MORRIS TO JOHN JAY.¹

YORK TOWN, 23 June 1778

Dear Jay

I enclose you the papers. They are important and from my friendship you have a right to expect comment from me: but my friend, I am every moment employed. I am hurried and it gives me pain that a set of little whiffling incidents should deprive me of one out of the few real consolations the world affords. The answer to the Commissioners and the annotations signed an American were the product of your friends lucu-

² See the *Journals*, June 22, 23, and nos. 367, 372, 376, *ante*, 379-382, 386, *post*. Cf. vol. II., nos. 68, 191, 205, 216, 219-221, 226, 359. The fundamental reason for Maryland's refusal as yet to accede to the Confederation is set forth in instructions to her delegates Dec. 15, 1778, which were laid before Congress Jan. 6, 1779, and are found in the *Journals* under May 21, 1779. In brief, Maryland declined to give her adherence to the Confederation until those states having claims to western territory should cede that territory to the United States for the common benefit of the Union. The question of Maryland's adherence accordingly becomes bound up with the question of territorial claims and cessions, and is of fundamental importance in the history of the Union. The subject is treated at large in H. B. Adams, *Maryland's Influence upon the Land Cessions to the United States*.

[378]¹ Harvard Univ. Lib., Sparks MSS., no. 49, vol. III. p. 21.

brations. When their insolent letter was read in Congress, I opposed going on with it, and laboured hard to send it back with contempt. In this my view was to oblige them to garble it of the offensive matter, and send it back, thereby striking conviction to the souls even of Tories, that G. B. is reduced to implore a peace from America.²

379. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

23 June [1778.]

Dear Sir

. . . . I troubled your Excellency some time ago with a request to obtain certain Evidence from Captain Senff, and I hope soon to receive it in confirmation of what has lately been declared by other foreign Officers respecting the Colours which ought to have been surrendered at Saratoga, and which General Burgoyne like an honest candid Man declared had been left in Canada. a copy of this declaration will be found Inclosed, and may, with Captain Senf's in general Terms and even with Comments, leaving out names for the present, be published.²

We are now to the exclusion of all other business closely engaged on Confederation. If I judge right, Ratification of the original Act will be obtained in the course of this week. were the various amendments to be fully discussed and alterations made I should not live to see Ratification.³

380. RICHARD HENRY LEE TO THOMAS JEFFERSON.¹

YORK the 23d June 1778.

My dear Sir,

The inclosed *Gazette* will shew you the progress and perhaps the end for some time, of our negotiation with the British Commissioners.²

We hope in 6 or 8 days to ratify the Confederation (all but two or 3 small states, at the head of which is Maryland and all of whom I have no doubt will soon fall in) with[ou]t amendments.³ After which Congress will adjourn to Philadelphia. I am dear Sir affectionately yours

RICHARD HENRY LEE

² See nos. 345, 358, 360, 370, *ante*. Cf. no. 381, *post*. What Morris here calls "annotations", signed "An American", is one of the items included in Drayton's publication of proceedings, etc., in the *Pennsylvania Gazette* of June 20. It is an address "To the Earl of Carlisle, Lord Viscount Howe, Sir William Howe (or in his absenc Sir Henry Clinton), William Eden and George Johnstone", and is conveniently found in the *Writings of Samuel Adams* (ed. Cushing), IV. 25, where it is indicated that it had previously (as in the *Remembrancer* for 1778) been attributed to Adams. Cf. Sparks, *Morris*, I. 188. Cf. no. 421, note 2, *post*.

[379]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 195.

² See no. 287, *ante*. Cf. nos. 383, 462, *post*.

³ On the whole subject of the proposed amendments to the Confederation, see a paper by G. D. Harmon, in *South Atlantic Quarterly*, July and Oct., 1925.

[380]¹ Library of Congress, Jefferson Papers, second ser., LI. 20; *Letters* (ed. Ballagh), I. 418.

² The *Pennsylvania Gazette* of June 20. See no. 360, *ante*.

³ Cf. no. 377, *ante*.

381. GOUVERNEUR MORRIS TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

YORK TOWN 23d June 1778.

Sir I have the Pleasure to perceive that a Spirit of Justice reigns throughout Congress inclining them to do every thing necessary to quiet the unhappy Disturbances in the North Eastern Part of our state.² It is impracticable to force this Business on nor indeed can I as one Member answer it to myself to postpone the Great Business of Confederation we are now engaged in even for a Moment. I enclose you the Public Prints from whence you will perceive that Matters of no small Importance occupied our late Deliberations. It is my earnest Hope that our Determinations may be agreeable to those whom I have the Honor to represent.³ The very important Business of regulating the civil Departments of our Army and the numerous Train of *et caeteras* which go to the Composition of that more important Business of Finance will I hope be prosecuted with unremitted Attention upon our Arrival at Philadelphia. . . .

382. SAMUEL HOLTEN, DIARY.¹

[June 23-25, 1778.]

23. Attended in Congress and the chief of the day was taken up in Disputing on the Articles of Confederation.

24. Attended in Congress, dined with the President.

25. Attended in Congress. Toward night I walked out with a number of gentlemen of Congress about a mile to a farmhouse. The people was kind, we eat Cherries and drank whiskey.

383. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO WILLIAM HEATH.¹

YORK TOWN 26th June 1778

Sir The testimony of the Foreign Officers relative to Colours said to have been concealed by General Burgoyne's orders I have transmitted to Governor Clinton and Congress request you in the most effectual manner and by all proper means, unalarming to the present Commanding Officer of the British Prisoners, to obtain further accounts of any violation of the Convention of Saratoga and particularly if possible to obtain the very Colours. admitting they are carried off by Gen. Burgoyne or destroyed before he left you a search would prove fruitless and wear an ill aspect, but getting the Colours in hand will carry proof undeniable.²

[381]¹ N. Y. Pub. Lib., Emmet Coll., no. 9478.

² See no. 237, *ante*, and no. 426, *post*; also the *Journals*, Sept. 16.

³ Cf. no. 378, *ante*.

[382]¹ *Essex Inst. Hist. Colls.*, LV. 165.

[383]¹ Mass. Hist. Soc., Heath Papers, X. 69; Library of Congress, President's Letter-Book, II. 13.

² See nos. 287, 379, *ante*.

384. SAMUEL HOLTEN, DIARY.¹

[June 26, 27, 1778.]

26. Attended in Congress, and it is the hottest day I ever knew. Went and drank with the President and drank tea with the Secretary.

27. Congress adjourned to the City of Philadelphia to meet on Thursday next, 10 o'Clock.

385. THE RHODE ISLAND DELEGATES TO THE GOVERNOR OF RHODE ISLAND (WILLIAM GREENE).¹

YORK TOWN June 27th 1778.

Sir,

Your Excellency's Letter of the 13th Instant came to hand, as also one other of the 11th instant from the Council of War. Your Excellency's Letter addressed to Congress was also received.²

We have, from our first Knowledge of the late Attempts of the Enemy upon Our State, reflected upon the Subject with Seriousness, and pressed for Relief of any kind; and upon the Receipt of the Letters from your Excellency and the Council of War, we have again applied with Ardor and unremitted Zeal, and have obtained Warrants for 250,000 Dollars, which the President will enclose to the State; also Orders for supplying the Military Chest there with 300,000 Dollars; also an Order for 2000 Stand of Arms, which order will be forwarded by the Board of War to Genl. Sullivan. Also a Resolution for building three Galleys on certain Conditions, Also an Order to Gen. Washington, to send the Rhode Island Battalion now in Camp, to Our State, if it can be done consistently with the genl interest. We place no great Expectations from that Resolution, unless the Campaign should soon end successfully on Our Part in the Jerseys, and which, by the Blessing of God, we have great hopes of.³

The Matter respecting Cloathing advanced to Our Officers at 4 £ Sterling for 1 is laid before a Committee; We shall give You the earliest Intelligence of the Result. We are in hopes the State and the Dep: Cloth'r will be justified, altho' it is said the Advance was not quite large enough. The Propriety of the Advances to Officers of State Battallions are also doubted. We shall carefully attend to it, And are most respectfully

Your Excellencys most obedt. and humble Servants

WILLIAM ELLERY

HY MARCHANT

P. S. Mr. Collins has gone to Philadelphia. Congress this day will adjourn there.

[384]¹ *Essex Inst. Hist. Colls.*, LV. 165.

[385]¹ R. I. Arch., Letters to the Governors, 1778, p. 100; Staples, *R. I. in Cont. Cong.*, p. 189. Addressed, "His Excel'y Govr. Greene or Council of War Providence".

² See no 372, *ante*, and the last paragraph of this letter; also Staples, *R. I. in Cont. Cong.*, pp. 185-187, and the *Journals*, June 25, Sept. 4, Oct. 13. In Staples (p. 185) the communication from the council of war is dated June 10.

³ See the *Journals*, June 25, 26. Cf. nos. 329, 372, *ante*.

386. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

27th June [1778]

Dear Sir

Congress will adjourn this Morning to Philadelphia. I have many things to do and to hear in a short space of time. Your Excellency will therefore account for brevity. . . .

After spending 4½ hours in Congress I am just going to Philadelphia without Ratifying Confederation which would have been done by all the authorized Delegates about 9 or 10 States but there appeared such a number of interlineations and mistakes in the Secretarys engrossed Copy as rendered it necessary to delay this great work. Saturday 4 July is now the order of the House.²

387. JOHN HANCOCK TO MRS. HANCOCK.¹

PHILADELPHIA July 1st 1778

My Dear

. . . . I write in great haste, being much Engag'd in the Business I came from York Town upon. . . . have not got lodgings have some thoughts of Taking Mr. Williams's house, if I should, and I find I must Tarry here, I shall Take the Liberty of Sending for you, but have come to no Determination. The Confederation will soon be ratified, and a new Congress will bring on the Conclusion of my Plan.²

388. SAMUEL HOLTEN, DIARY.¹

[July 1, 1778.]

July 1. To the City of Philadelphia, 15 miles, before breakfast. Dined at a public house, then took Lodging at the Wid^o Robinson's on Chestnut Street.²

389. SAMUEL ADAMS TO SAMUEL PHILLIPS SAVAGE.¹

Philada. July 3d 1778.

My dear Sir,

Yesterday I arrived in the City, and today I have the Pleasure of receiving your Letters of the 10th and 18th of June, the last of which inclosed the News Papers of that Day. . . . Capt. Courter² brought us nothing new from France. You have commonly had News from Europe earlier than we, though not so authentically. Your Papers give

[386]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar. — Sept., 1778, p. 201.

² That is, "That another copy be made out and laid before Congress on or before the 4 July next". Congress was to meet in Philadelphia on Thursday, July 2, but it was not until the 7th that a quorum was obtained, and it was not until the 9th that the matter of ratification was resumed. See the *Journals*, June 25-27, July 9, 10, and nos. 394-396, *post*. Cf. no. 367, note 3, *ante*.

[387]¹ Library of Congress, Stauffer-Morgan Collection of Signers of the Declaration of Independence.

² See no. 386, *ante*, and nos. 394-396, *post*.

[388]¹ *Essex Inst. Hist. Colls.*, LV. 166.

² See no. 435, *post*.

[389]¹ Mass. Hist. Soc., *Proceedings*, XLIII. 332.

² Capt. Harmon Courter. See no. 287, note 6, and no. 305, note 2, *ante*.

us brilliant Accounts from that Quarter. "Spain has this day avowd her Acknowledgment and support of the Independence of America." "It is expected that Holland will be the next Power to recognize the Independence of America," etc. etc. These things we expected to hear of before this Time. They are the Effects of Instructions given to the Agents of Congress so long ago, as while they were at Baltimore in Dec. 76,³ and at a time when the Enemy were striding through the Jerseys. Our affairs were then at a low Ebb indeed; but *Nil desperandum* was the Motto of the true Patriots of America. . . . I now begin to promise myself the Pleasure of seeing the Liberties of our Country established on a solid Foundation. . . .

390. SAMUEL CHASE TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

PHILADA, July 4th, 1778

Dear Sir.

. . . I was yes[ter]day honoured with your Letter of last fryday.

No application has been made to Congress for Leave to export to Burmuda, nor do I believe it will be granted. The Virginia Delegates discredit the assertion that their state has granted Leave.² . . .

391. SAMUEL HOLTEN, DIARY.¹

[July 4-6, 1778.]

4. It being the anniversary of the Independence of America, the Congress dined together at the City Tavern and a number of the Council of this State, several Gen. officers and other Gentlemen of Distinction and while we were dining there was an Agreeable band of Musick and we had a very elegant dinner.²

³ The instructions were approved by Congress Oct. 16, 1776, but appear not to have been despatched until December. See the letters of the committee of foreign affairs to the commissioners at Paris, Dec. 21, 30, 1776, Wharton, *Rev. Dipl. Corr.*, II. 226, 231, 240.

[390]¹ Md. Hist. Soc., Red Book, X. 58; *Arch. of Md.*, XXI. 155.

² Cf. the *Journals*, Nov. 27, 1778, Apr. 19, 23, May 4 (letter of Albouy), 5, 7, 12, 17, 18, 1779.

[391]¹ *Essex Inst. Hist. Colls.*, LV. 166.

² Cf. no. 393, *post.* In a Supplement to the *Pennsylvania Packet*, Monday, July 6, appeared the following:

"Saturday the fourth of July, the glorious Anniversary of the INDEPENDENCE OF AMERICA, was celebrated by the Honorable the Congress with a grand festival at the City Tavern in this metropolis. The principal civil and military officers and strangers in town were present at it by invitation. After dinner the following Toasts were given by the Honorable the President of Congress:

1. The United States of America.
2. The Protector of the Rights of Mankind.
3. The Friendly European Powers.
4. The happy era of the Independence of America.
5. The Commander in Chief of the American Forces.
6. The American Arms by land and sea.
7. The Glorious 19th of April, 1775.
8. The Glorious 26th of December, 1776.
9. The Glorious 16th of October, 1777.
10. The 28th of June, twice Glorious, 1776-1778.
11. May the Arts and Sciences flourish in America.
12. May the People continue free forever.
13. May the Union of the American States be perpetual."

5. Sabbath day. Attended Church in the forenoon with the Congress, and in the afternoon went to a Congregational meeting. The Church minister Preached a political discourse. The other Gentleman I could not understand.

6. Attended in Congress.

392. HENRY LAURENS TO GEORGE WASHINGTON.¹

PHILADELPHIA 7 July 1778.

Dear Sir.

I have had the honor of presenting to as many Members of Congress as have been convened in this City since the adjournment from York, Your Excellency's several favors of the 28th and 30th June, and 1st Inst: and at their special Instance have caused them to be printed for the information of the public.²

I arrived here on Tuesday last but hitherto have not collected a sufficient number of States to form a Congress, consequently I have received no Commands.³ Your Excellency will therefore be pleased to accept this as the address of an Individual intended to assure you Sir of my hearty congratulations with my Country Men on the success of the American Arms under Your Excellency's immediate Command in the late Battle of Monmouth and more particularly of my own happiness in the additional Glory atcheived by Your Excellency in retrieving the honor of these States in the Moment of an alarming dilemma.

It is not my design to attempt encomiums upon Your Excellency. I am as unequal to the task as the Act is unnecessary. Love and respect for Your Excellency is impressed on the heart of every grateful American, and your Name will be revered by posterity. Our acknowledgments are especially due to Heaven for the preservation of Your Excellency's person necessarily exposed for the Salvation of America to the most imminent danger in the late Action. that the same hand may at all times guide and shield Your Excellency is the fervent wish of Dear Sir,

Your much obliged and faithful humble Servant

HENRY LAURENS.

His Excellency General Washington.

393. THOMAS MCKEAN TO WILLIAM AUGUSTUS ATLEE.¹

Dear Sir,

On Thursday last Congress met at the State House, when 13 cannon were discharged on Market street wharff; and on Saturday the Anni-

[392]¹ Library of Congress, Letters to Washington, XXIV. 277; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 206; Harvard Univ. Lib., Sparks MSS., LXVII. 25, 26; *Letters to Washington* (ed. Sparks), II. 154.

² See the *Journals*, July 2, 7. Washington's letter mentioned as of June 30 was dated June 29. The letters of June 28 and July 1 are in *Writings* (ed. Ford), VII. 76, 78; all are in *Writings* (ed. Sparks), V. 419, 421, 422. They were printed in a Supplement to the *Pennsylvania Packet* of July 6.

³ This letter was evidently written before the session of July 7.

[393]¹ Library of Congress, Pennsylvania Papers.

versary of Independance was celebrated at the new Tavern, where there was an elegant entertainment, and a fine band of musick. the firing of a vast number of cannon proved that there was no want of powder.²

PHILADELPHIA. July 7th 1778.

394. JOHN MATHEWS TO JOHN RUTLEDGE.¹

PHILADELPHIA July 7th 1778.

Dear Sir,

. . . . We are thrown into a good deal of confusion with regard to the Confederation. Before we left York-Town, Congress proceeded to the consideration of the amendments offered by the different States, to the Confederation, every one of which have been rejected. It was then ordered to be engroced to [be] ready for ratification when we came to Philadelphia. Now, that it is so, Mr. Laurens, Mr. Drayton and Mr. Hutson, say they will not sign it, because they do not think themselves authorized by our instructions to do so, unless the other twelve states will agree to sign it likewise. Maryland has refused to ratify. Mr. Heyward and my self are of a different opinion, and think we are authorized, notwithstanding one or even two States were to refuse, nor do I apprehend that inconsistency will arise in the Confederation, from the Defection of one or two States which these three Gentlemen seem to imagine. however they mean, I believe, to write to the Prest. or to you, to be laid before the Assembly. I do not think it necessary for Heyward and myself to write on the subject, in our public Characters, as we think we are authorised to sign it, but as Three are necessary to a final Ratification, we must wait for your decision. This I am clear in, from what I have seen, and know, since I have been in Congress, that if we are to have no Confederation until the Legislatures of the Thirteen States agree to one, that we shall never have one, and if we have not one, we shall be literally a rope of sand, and I shall tremble for the consequences that will follow at the end of this War.²

395. SAMUEL HOLTEN, DIARY.¹

[July 8, 9, 1778.]

8. Congress received a packet from France giving an account of a French Fleet coming here.² I dined with General Arnold.

² See no. 391, *ante*. A description of one phase of this Fourth of July celebration is given by Richard Henry Lee in a letter to Francis Lightfoot Lee July 5 (*Letters*, ed. Ballagh, I. 420).

[394]¹ Charleston Lib. Soc., Miscellaneous Letters, p. 99.

² Cf. nos. 376, 386, 387, *ante*, and no. 396, *post*. Mathews further remarks in this letter: "I have wrote to you for leave to come home in December for God's sake procure it for me, and I'll be dam'd if you ever catch me here again. Those who have dispositions for Jangling, and are fond of displaying their Rhetorical abilities, let them come. I never was so sick of anything in my life." Cf. no. 534, *post*.

[395]¹ *Essex Inst. Hist. Colls.*, LV. 166.

² The letter from Franklin and Adams, May 18 (Wharton, *Rev. Dipl. Corr.*, II. 589). See also the letter from Arthur Lee to the committee of foreign affairs, May 23 (*ibid.*, p. 593). Cf. no. 398, *post*. President Laurens transmitted to the governor of Maryland July 9 the resolve of July 8, adding: "Monsr. Girard as Plenipotentiary from the Court of Versailles to these United States is on board one of the Ships in the expected french Fleet" (Md. Hist. Soc., Red Book, VII. 144).

9. The Articles of Confederation was signed by all the States that had received instructions for that purpose, being 8 States.³

396. SAMUEL ADAMS TO MRS. ADAMS.¹

PHILADE July 9 1778

My Dear Betsy

. . . . I now write at the Table in Congress, having just put my Hand to the Confederation with my Colleagues and the Delegates of seven other States. North Carolina and Georgia whose Members are absent have acceded to the Confederation.² Mr. H has just obtained the Leave

³ See no. 396, *post*.

[396]¹ *Writings* (ed. Cushing), IV. 41; N. Y. Pub. Lib., Samuel Adams Papers.

² See the *Journals*, June 25, 27, July 9, 10, and nos. 367, 372, 376-382, 386, 387, 394, 395, *ante*, 403-405, 410, 417, 420, 423, 424, *post*. The Articles of Confederation are found in the *Journals* under March 1, 1781, the date when they were brought into force by the accession of Maryland, with the names of all the signers affixed. Most of those who signed subsequently to July 9, 1778, inscribed the dates upon which their signatures were respectively appended, but a few of them did not. It was assumed by Congress that all those states whose delegates then present had signed the articles had completed their acts of ratification. Josiah Bartlett of New Hampshire indicates, however, in his letter to President Weare, July 20 (no. 423, *post*), a doubt as to the efficacy of his sole signature. His colleague, John Wentworth, jr., was then absent, but the latter affixed his signature Aug. 8. Concerning a question that had agitated the South Carolina delegation, see the letter of John Mathews, July 7 (no. 394, *ante*). Joseph Reed of Pennsylvania, who was absent at the general signing, returned to Congress a few days later and signed July 22. Whether his colleague, William Clingan, signed on July 9 or at some later time is uncertain, for he appears to have been absent from Congress from the end of June until the middle of September. His name, however, precedes that of Joseph Reed, though there is no date attached. On the other hand, the name of James Smith of Pennsylvania, who was also absent at the time of the signing but presently returned, does not appear among the signers of the articles. Francis Lightfoot Lee, whose name is last in the group of Virginia signers, was likewise absent and did not return until Nov. 9; while James Duane, whose name is first among the New York delegates, did not appear until Nov. 19. The ratifications by North Carolina and Georgia, already authorized, were completed shortly after July 9 by delegates of those states. John Penn of North Carolina took his seat July 16 and affixed his signature (together with the date) July 21, his sole signature effecting the ratification of his state (see the *Journals*, July 21, 24). Of the other North Carolina delegates who signed, John Williams took his seat Aug. 4, and Cornelius Harnett Aug. 10. Harnett's name precedes that of Williams, but neither of them inscribed the date of his signing. Edward Telfair, delegate from Georgia, took his seat July 13, his colleague, John Walton, July 23, and these two signed the Articles July 24. While only Walton attached the date to his signature, the *Journals* record that both delegates signed on that day (see the *Journals*, July 13, 23, 24). Edward Langworthy, the other Georgia delegate, returned to Congress about the middle of August and doubtless affixed his signature at that time, although no date is attached to it. There remained three states, New Jersey, Delaware, and Maryland, which had not yet given their adherence to the Confederation. New Jersey's attitude is set forth in a representation laid before Congress June 23 and recorded in the *Journals* under June 25, the principal objection being the same as that of Maryland (see no. 377, *ante*; cf. nos. 403, 405, *post*). An act of authorization was, however, passed by the state Nov. 20, and her delegates, John Witherspoon and Nathaniel Scudder, signed the Articles on behalf of their state Nov. 26 (see the *Journals*, Nov. 25, 26, and no. 638, *post*). Delaware, although not represented at the time of the general signing of the Articles in July, had indicated a similar reluctance to join the Confederation. When, however, New Jersey had yielded, Delaware was also prevailed upon to come into the Confederation (see nos. 599, 612, 630, *post*), and on Jan. 28, 1779, passed an act of authorization. Feb. 22 Thomas McKean signed the

of Absence and is going home on Account of his ill State of Health and the Circumstances of his Family. He tells me his Wife is dangerously ill.³

397. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO HORATIO GATES.¹

10th July [1778.]

Sir

The derangement of the affairs of Congress in consequence of their removal from York Town, rendered it impracticable to present your favors of the 23d Ult. and 2nd Instant, and the sundry papers which accompanied them at an earlier day than the 8th Instant. the whole were then committed to the Board of War, and I have received no particular commands.²

398. SAMUEL HOLTEN, DIARY.¹

[July 10, 11, 1778.]

10. A man came to this city this day and informs that a French Fleet is off Maryland.

11. This day was the first time that I took any part in the debates in Congress. We have certain accounts of the arrival of a French Fleet off the Delaware, 12 Ships of the line and 4 Frigots.²

399. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

PHILADELPHIA 11th July 1778.

Sir,

. . . . Congress have directed me to propose for Your Excellencys consideration an attack by Vice Admiral Count d'Estaing upon the British Ships of War and Transports in the harbor of Rhode Island, by which possession of a safe Port may be gained and the retreat of the

Articles, effecting the ratification of his state (see the *Journals*, Feb. 8, 16, 22, 1779). Two other Delaware delegates, John Dickinson and Nicholas Van Dyke, affixed their signatures to the Articles May 5 (see the *Journals*), although only Dickinson inscribed the date after his name. The principal reason for Maryland's refusal to ratify the Confederation at this time has already been pointed out. It was not until the beginning of 1781 that the obstacle was sufficiently overcome to induce the state's adherence. The act of authorization was passed Feb. 2, 1781, and on Mar. 1 following the Articles were signed on behalf of Maryland by her delegates, John Hanson and Daniel Carroll, thereby completing the Confederation.

³ See nos. 305, *ante*, 409, 410, 518, *post*.

[397]¹ Library of Congress, President's Letter-Book, II. 21; N. Y. Hist. Soc., Gates Papers, XIII.

² See the *Journals*, July 8.

[398]¹ *Essex Inst. Hist. Colls.*, LV. 166.

² See the *Journals*, July 12; also Elias Boudinot to his wife July 9, *Life*, p. 152.

[399]¹ Library of Congress, Letters to Washington, XCI. 122; *ibid.*, President's Letter-Book, II. 28.

British forces on that Island be cut off, as an alternative to a hazardous or ineligible attempt upon the British Squadron within Sandy Hook.²

[P. S.] Sometime ago I informed Your Excellency that Congress had adopted the Stile of "North America" to these States. This day that Resolution was reconsidered and reduced to the former mode of "America".³

400. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
PRESIDENT OF NEW HAMPSHIRE (MESHECH WEARE).¹

PHILADELPHIA 12th July 1778.

Honorable Sir,

Present circumstances of Public affairs affords me barely time for referring you to the Inclosed Act of Congress of yesterday's date, empowering Gen. Washington to call on the State of New Hampshire and other States therein enumerated for such Militia as he shall think requisite for co-operation with Count d'Estaing Commander of the French Fleet arrived on this Coast, against the Enemy, and earnestly recommending to each State, the forwarding such force as shall be required, with the utmost dispatch.²

I expect Monsr. Girard in the Character of Plenepotentiary from the Court of Versailles, in Philadelphia early this Morning, a Novelty in these Infant States which cannot but occasion some uncommon and extraordinary movements among those whose proper business it is to pay due attention to the first European Ambassador to Congress.³

401. RICHARD HENRY LEE TO FRANCIS LIGHTFOOT LEE.¹

PHILADELPHIA 12 July 1778.

My dear brother,

. . . . the Count D'Estaing, with a french Squadron under his command has arrived in Delaware Bay, and last thursday morning he proceeded to N. York with determination to loose no time in attacking the English in that Harbour. . . . In this fleet came the french Ambassador Monsr. Gerard who is expected in Town every hour Carriages being sent to Chester for him. Silas Deane is also arrived in this fleet, and I expect that he and Carmichael will soon begin to intrigue.² We have received a very polite Address from the Count D'Estaing enclosing us a copy of his

² See the *Journals*, July 11. Washington's answer, July 22, read in Congress July 27, is in *Writings* (ed. Ford), VII. 108, (ed. Sparks), VI. 9.

³ See no. 298, *ante*.

[400]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia. The same letter was written also to Massachusetts, Rhode Island, Connecticut, New York, and New Jersey (Library of Congress, President's Letter-Book, II. 29). The letter to Massachusetts is in Mass. Arch., CXCIX. 277.

² See the *Journals*, July 11; cf. no. 399, *ante*, no. 401, *post*.

³ Cf. nos. 406-411, *post*.

[401]¹ Univ. Va. Lib., Lee Papers; Va. Hist. Soc., Lee Papers, IV. (copy embodied in letter of Francis Lightfoot Lee to Landon Carter, July 23, 1778); *Letters* (ed. Ballagh), I. 422.

² See nos. 268, 280, 295, 330, *ante*, 421, 439, 462, 467, 468, 487, 524, *post*.

powers from the King of France which are plenepotentiary to treat with Congress. . . . We have been very busy in Marine Committee this morning, altho 'tis Sunday, directing fresh provisions and Water to be sent to this fleet. Gen. Washington is directed to Cooperate with Count D'Estaing in offensive operations against the common enemy. We may expect good events from this if Keppel with his 11 Sail of the Line do not interrupt us too soon.³ . . . Thus the Ball begins to open, and the guilty Sons of G. Britain upon the eve of making severe retribution for the heavy crimes both in the east and the west. The Ambassador is arrived, and during the course of dinner I have had an opportunity of conversing largely with him. . . . Monsr. Gerard seems rather above 50 years of age is as grave as a Frenchman can be, and he is a wise well bred Gentleman. We are told that many of the first Nobility of France solicited his missions in vain.⁴ . . .

402. SAMUEL HOLTEN, DIARY.¹

[July 13, 1778.]

13. Yesterday Monsieur Gerard, the Ambassador, arrived here, and I waited on him this day and welcomed him to the United States of America.²

403. NATHANIEL SCUDDER TO THE SPEAKER OF THE
NEW JERSEY ASSEMBLY.¹

FREEHOLD, July 13th, 1778.

My Dear Sir,

I do myself the Honor to address you upon an Affair to me of the most serious and alarming Importance. The Honorable Council and Assembly of this State have not thought proper to invest their Delegates with Power to ratify and sign the Confederation, and it is obvious that unless every of the thirteen States shall accede to it we remain an unconfederated People. These States have actually entered into a Treaty with the Court of Versailles as a Confederated People, and Monsieur Girard, their Ambassador Plenipotentiary to Congress is now on our Coast with a powerful Fleet of Ships, which have taken Pilot on Board for Delaware. He probably may be landed by this Time, and will at all Events be in Philadelphia in a few Days. How must he be astonished and confounded, and what may be the fatal Consequences to America when he discovers (which he will immediately do,) that we are *ipso facto* unconfederated, and consequently, what our Enemies have called us, "a Rope of Sand"?

³ See nos. 399, 400, *ante*, and no. 424, *post*; also a letter from Lee as chairman of the marine committee to Comte D'Estaing, July 16, in *Letters*, I. 425.

⁴ The arrival of Gérard evidently intervened between the writing of the first part of this letter and the last.

[402]¹ *Essex Inst. Hist. Colls.*, LV. 166.

² Cf. no. 410, *post*.

[403]¹ N. J. State Lib.; *N. J. Rev. Corr.*, p. 119.

Will he not have just cause to resent the Deception? and may not insidious Britain, knowing the same, take Advantage of our Disunion? for my own Part I am of Opinion she will never desist from her nefarious Designs, nor ever consider her Attempts upon our Liberties fruitless and vain, until she knows the golden knot is actually tied. I left Congress last Wednesday Evening. The Affair of Confederation was to be taken up next Day. The Magna Charta of America was amply engrossed and prepared for signing. Ten States had actually authorized their Delegates to ratify; a Delegate from an eleventh (viz. Georgia) declared he was so fully possessed of the Sense of his Constituents, that he should not hesitate to subscribe it. New Jersey and Maryland only stood out. Mr. Chase, one of the Delegates from that State, told me the Day I left Philadelphia, that he imagined the Determination of Maryland would depend much upon that of New Jersey, and thought if our state should accede, theirs would also—he therefore concluded to go immediately down and try what could be done. I at the same Time assured him I would write you on the Subject on my Return.

I ought to inform you, Sir, that the Objections stated by New Jersey were read and considered in Congress, and after being entered at large on their Minutes, a Question was taken whether Congress at that Time judged it expedient to take up the said Objections so as to admit any Emendations in the Plan of Confederation, or not? and it passed in the Negative.² In Consequence of which they remain both upon the Journal and Files to be taken up and considered at any future Time when they may be called for. I expect my Colleagues will soon address you on this Subject. I left Doct. Witherspoon, Doct. Elmer and Mr. Boudinot at Philadelphia, whither I expect to return in a few Days.

I should have been much more uneasy when I was last at Princeton, and should have taken more Pains to convince the members of the Necessity of granting the Powers of Ratification to their Delegates, had I not been encouraged to expect that the Legislature would not rise without doing it; at the same Time supposing the Reason, why they withheld at that Juncture, to be, that their Objections might have the greater Weight with Congress. Indeed I all along expected Doct. Witherspoon would have brought on such Powers with him, especially as I hoped the Honorable Houses would be clearly of Opinion, that it were better to confederate under all the Disadvantages they apprehended, than that the general Union should be broken or even greatly endangered.

I know not whether I ought to say any Thing respecting the Objections themselves: some of them are perhaps not very essential. The Obtaining an Admission of several of them would doubtless be of great local Advantage to this State; but every State must expect to be subjected to considerable local Disadvantages in a general Confederation. Indeed upon the whole I am fully [of] Opinion that no Plan can or will ever be adopted more equal or less generally injurious to the confederated States than the present. I also declare it as my Opinion that if the general Business of Emendation were to be fairly taken up in Congress to morrow, several

² See the *Journals*, June 23, 25.

Alterations would be made exceedingly Disadvantageous to the smaller circumscribed States, and which perhaps might more than counterbalance the obtaining what we apply for. As to the grand and capital Objection respecting the Lands, etc: I will only observe that in Case we never obtain an original Quota of them, we shall only lose a Share in the prime Sales of them, which will probably be very low, while we shall inevitably reap a permanent and increasing Benefit from the rapid and enormous Growth of the larger States; for surely in Proportion to their Extent and Population, their Quota of the Public Expense and Debt will be increased, while ours will be proportionably diminished. What avails it therefore to us, whether five Pounds of our national Debt be paid by the Accession of a Subject to this State, or whether our Quota be really lessened Five pounds by the Settlement of a Person in the State of Virginia at the Distance of a thousand Miles from the Atlantic? for my own Part I think we shall have greatly the Advantage of these enormous, unwieldy Governments; nor do I judge it unlikely they will soon find it necessary to sue for the curtailing their extravagant Jurisdiction.

In the Settlement of our Soldiery, and the foreign Deserters at the Expiration of the War, we shall incur considerable Disadvantage; however as the larger States will doubtless rejoice to have their Frontiers immediately enlarged, and will vie with each other in Courting so great an Accession of Inhabitants, there will probably be no greater Expense than barely that of locating the Lands, our Quota of which cannot be any very considerable Sum.

I congratulate you on the signal Success of our Arms in this Neighborhood on the 28th of June. Great Plunder and Devastation have been committed among my Friends in this Quarter, but through the distinguishing Goodness of Providence, my Family and Property escaped, and that almost in a miraculous Manner.

I wish you to take the above Representation into your serious Consideration, and, if with me you shall judge it a Matter of sufficient Importance, that the Legislature may be as speedily as possible convened to deliberate and determine thereon.³

I am, Dear Sir, with great Esteem, your most obedt. hble servant,
NATH. SCUDDER.

Honble John Hart, Esq.

404. JOSIAH BARTLETT TO JOHN LANGDON.¹

PHILADELPHIA July 13th 1778

Dear Sir

. . . . Your letter to the Marine Committee of the 20th ulto came by today's post and will be considered as soon as opportunity permits: the removal of Congress to this City has greatly retarded business. We have

³ The New Jersey assembly enacted the necessary authorization Nov. 20, which was presented in Congress Nov. 25, and the Articles were signed by the delegates Nov. 26. See no. 396, note 2, *ante*, and no. 424, note 4, *post*.

[404]¹ Library of Congress, Force Trans., Whipple, p. 513; Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., p. 211; N. Y. Pub. Lib., Bancroft Coll., Langdon-Elwyn Papers (copy of part).

not yet procured proper offices for our several Boards and Committees—hope in a few days we shall be better accomodated and attend with more alacrity to business. The Congress meets in the College Hall, as the State House was left by the enemy in a most filthy and sordid situation, as were many of the public and private buildings in the City.²

The confederation was signed last week by the delegates of the New England States, New York, Pennsylvania, Virginia and South Carolina; North Carolina have sent their ratification of it, but had no delegates in Congress to sign it. This day a delegate is arrived from Georgia who says he is authorized to sign it in behalf of that State.³ New Jersey, Delaware and Maryland have objected to it and not authorized their delegates as yet to sign it. Congress have wrote to them and I have reason to think they will accede to it.⁴

405. JAMES LOVELL TO WILLIAM WHIPPLE.¹

July 14th 1778.

Dear Sir,

. . . . Nine States have signed the Confederation and there is no doubt but, Georgia, Delaware and Jersey will soon sign. Maryland will take airs and plague us, but upon our determination to confederate with 12 will do as she has always before done—come in without grace.²

406. ELIAS BOUDINOT TO MRS. BOUDINOT.¹

PHILADELPHIA July 14th. 1778

My dearest Love,

I am distressed to account for your total Silence, not having recieved a Line from Home since my departure. My fears are raised in proportion to my Anxiety for your welfare and Comfort. I have written you several Letters lately, by different Opportunities. Yesterday I had the Honor to dine with Le Sieur Gerard, Minister plenipotentiary to his most Christian Majesty. He is about 50 Years of Age, appears to be a Modest, Grave, decent, cheerfull Man—highly pleased with our Country and the Struggles we have made for Liberty. A Committee of Congress were appointed to wait on him at Chester. On their Arrival a Barge with 12 Oarsmen dressed in Scarlet trimmed with Silver were ready to recieve them. When the Barge was half way to the Ship, she lay on her Oars and fifteen Guns were fired. When they came to the Ship her Sides were Manned and our Committee were recieved on the Deck by the Marines with rested Arms. At the Gang way they met the Plenipotentiary etc. etc. and were conducted into the great Cabbin, where the Compliments of Congratulation being given they

² Cf. nos. 411, 422, *post*.³ Cf. no. 417, *post*.⁴ The draft of the letter is in the *Journals*, July 10. The letter sent to Governor Johnson of Maryland is in Md. Hist. Soc., Red Book, VII. 145, and has the first blanks filled with "Jersey Delaware and Georgia". See no. 396, note 2, *ante*.[405]¹ Library of Congress, Force Trans., Whipple, p. 517; N. Y. Pub. Lib., Bancroft Coll., Langdon-Elwyn Papers (copy of part).² See nos. 396, 403, 404, *ante*, 410, 417, 423, 424, *post*.[406]¹ N. Y. Pub. Lib., Emmet Coll., Misc.

returned to the Shore in the same Manner and with the same Ceremony, accompanied by Le Sieur Gerard, Mr. Deane etc. etc. here were four Coaches with four Horses our Committee had prepared, in which they returned to this City, when they were saluted with 15 Guns.²

I am very happily situated here, considering my absence from a beloved Wife. . . . I shall soon be quite settled when I hope to have some leisure to write you fully. We are preparing for a publick Reception to the Sieur Gerard when he will have a publick Audience I will let you know the Ettiquette used on this Occasion. I know it will tend to divert your lonely moments, altho' I confess I should prefer another mode, was it in my Power.³

407. HENRY MARCHANT TO JOHN CARTER.¹

PHILADELPHIA July 14th, 1778.

Sir,

Your agreeable Favour of the 2d Instant, I recd yesterday. As Congress was design'd by its Institution to be a true Representation of the Minds of its Constituents; So that Body find itself happy when Acts and Resolutions of material Consequence, meet the Universal Approbation.

The Scene brightens, grows more and more interesting, and calls for new and fresh Exertions of Senatorial Wisdom. We advance into the Circle and Standing of mighty Nations—Adepts in all the Policy of Peace and War. May Heaven protect our Youth and prove the Friend, Protector and Counsellor of America!

I shall enclose you the Paper of this Day, which will render many observations useless.²

I had the Honor last Sabbath of welcoming in Person the Plenipotentiary of France to these United States—Grand and important is the year 1778. We behold with wonder and Astonishment a Leap of at least a Century. Sturdy indeed and wonderfully Successful thro' Divine Assistance, have been the Efforts of the well sinewed American Confederates.

As I was present at, so I never was Witness to a more elevating and unspeakably joyous Interview than that between the Plenipotentiary of His Most Christian Majesty, and the President of Congress in the Name and Behalf of the thirteen United States of America. It was reciprocally easy graceful Endearing and Noble. May it presage a happy Issue to the

² See nos. 400-402, *ante*, and nos. 407-411, *post*.

³ See no. 453, *post*.

[407]¹ R. I. Arch., Letters to the Governors, 1778, p. 107.

² The following appeared in the *Pennsylvania Packet* of July 14:

"Early last Sunday afternoon his Excellency Monsieur GERARD, Ambassador from his Most Christian Majesty to the United States, arrived in this city. He was accompanied from Chester to an elegant apartment provided for him in Market street by a committee of Congress appointed for that purpose. On his Entrance into the city he was saluted by Colonel Proctor's artillery. It is impossible to describe the joy that appeared in every good man's countenance upon this auspicious event. . . .

"Who would have thought, (says a correspondent) that the American colonies imperfectly known in Europe a few years ago, and claimed by every pettyfogging lawyer in the House of Commons, and every cobbler in the beer houses of London, as a part of their property, should in the course of three years of a war with Great Britain, receive an Ambassador from the most powerful Monarchy in Europe."

american Struggle and a growing and undecaying Glory that shall diffuse its grateful Influences thro' the World.³

408. HENRY MARCHANT TO THE GOVERNOR OF RHODE ISLAND
(WILLIAM GREENE).¹

PHILADELPHIA, July 14th, 1778.

Sir,

As I shall enclose to your Excellency the newspaper of this day,² I have no occasion to add, but that I had the honor of being present the last Sabbath at the most interesting interview that ever took place in America, or perhaps in the world, between Monsieur Gerard, the Plenipotentiary of France, and the President of Congress, on the part of the Sovereign Independent United States of America.

This interview was most cordial, generous and noble. In my turn, I had the honor of personally congratulating his Excellency upon his safe arrival, and giving him a hearty welcome to the United States of America.³

I am in daily expectation of hearing that Rhode Island is evacuated.

409. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADA. July 14, 1778.

My dear Sir,

I am to acknowledge the Receipt of your favors of the 26th and 28th of June.² I will take an Opportunity when I am at Leisure to answer your Letter of the 26, which I have communicated to my Friend Colo. Lee.³ Yesterday I made a short Visit to Monsr. Gerard. If I can form any Judgmt. of him, his Manners would suit our country.⁴ But I expect to be better acquainted with him soon. Mr. H——⁵ has asked and obtained Leave of Absence and is going home! Adieu.

³ Cf. nos. 401, 406, *ante*, 408-411, *post*.

[408]¹ R. I. Hist. Soc., *Collections*, VI. 215; Staples, *R. I. in Cont. Cong.*, p. 191

² See no. 407, *ante*.

³ Cf. nos. 400-402, 406, 407, *ante*, 409-411, *post*. In a letter to Governor Greene, July 11, Marchant mentioned the news of D'Estaing's arrival and added: "The French Ambassador, Mons. Girard, and Mr. Deane, in a frigate, are now coming up the river" (Staples, *R. I. in Cont. Cong.*, p. 190).

[409]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 215; *Warren-Adams Letters*, II. 32.

² These letters are in *Warren-Adams Letters*, II. 24, 27. The first relates principally to the navy, the second to the troops of Burgoyne.

³ See no. 421, *post*.

⁴ Cf. nos. 401, 408, *ante*, 410, 421, 430, 460, *post*.

⁵ Hancock. See no. 396, *ante*, and no. 410, *post*. In a letter to Samuel Phillips Savage Aug. 11 Adams wrote: "You ask me what occasioned the very sudden return of Mr. H——. I answer in his own Word to me, His own Want of Health and the dangerous Illness of his Lady. You say he arrivd quite unexpected—you must surely be mistaken; for he publicly said he had Leave of Absence from his Constituents. You add, various are the Conjectures for the true Cause. It is the lot of a great Man to have every Movement he makes critically scanned, and the strangest Constructions are oftentimes put upon those parts of his Conduct which may be most easily explaiend" (*Writings*, IV. 49). Savage's letter to which Adams is replying is in Mass. Hist. Soc., *Proceedings*, XLIII. 333, dated July 29. See also his letter of Oct., 1778, *ibid.*, p. 334. In numerous letters of this period Adams refers to Hancock in sarcastic, even contemptuous, terms ("the Great Man", etc.). See, for instance, his letters to Warren, Sept. 1, 12, Oct. 17, and to Savage, Sept. 14, Nov. 1, *Writings*, IV. 52, 58, 61, 75, 86 (*cf. ibid.*, p. 83: "Tell my Friend M[r.] S").

410. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADA. July 15, 1778.

My dear Sir,

Mr. H.² informs me that he will certainly set off for Boston immediately after Dinner, and being now in Congress I have Time only to write you a short Letter.

The Sieur Gerrard, will soon have an Audience in Congress in the stile of "Minister Plenipotentiary of his most Christian Majesty the King of France". Would you think that one so little of the Man of the World as I am should be joynd in a Committee to settle Ceremonials? It is however of some Importance that we agree upon Forms that are adapted to the true *republican* Principles; for this Instance may be recurr'd to as a Precedent in Futurity.

The Articles of Confederation were sign'd last Week by seven [eight] States. North Carolina has sent a full Ratification of it, so the Members of that State will sign when they arrive which is expected in a few Days. Congress has written a Letter to the States of Georgia, Maryland, Delaware and Jersey pressing them to authorize their Delegates to joyn in this most necessary Transaction. I believe there will [be] no Difficulty except with Maryland, and she will finally accede. The Articles have undergone no Alterations.³

The french Minister arriv'd in this City on Lords Day, and the day following, last Monday the Delegates of Massachusetts Bay paid him their Compliments in Form. I know not that those of any other State have observ'd this Ceremony. It appear'd to us highly proper. We were receiv'd with Politeness, and heard some handsome Things said of the State we have the Honor to represent.⁴

The Minister plenipotentiary deliver'd to Congress a Letter from his Sovereign express'd in the strongest Terms of Affection and Friendship.⁵

411. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

15th July [1778.]

Dear Sir

I had the Honor of addressing Your Excellency the 27th Ultio. through the hands of Governor Henry via Williamsburg. On that day I left York Town and arrived here the 30th. from various impediments I could not collect a sufficient number of States to form a Congress earlier than the 7th Instant; one was the offensiveness of the air in and around the

[410]¹ Mass. Hist. Soc. Warren MSS., vol. 3, p. 216; *Warren-Adams Letters*, II. 33.

² Hancock. See nos 396, 409, *ante*. Cf. no. 518, *post*.

³ See no. 396, note 2, *ante*.

⁴ See no. 402, *ante*. Holten records in his Diary under July 16: "I was invited to dine at the city Tavern with Monsr. Gerard, but declined on account of my health."

⁵ See no. 411, *post*.

[411]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 208. "By Barry to the Black Horse Tavern there to be deliver'd Sharp." A similar notation appears on nos. 412 and 417, *post*.

State House, which the Enemy had made an Hospital and left it in a condition disgraceful to the Character of civility. Particularly they had opened a large square pit near the House, a receptacle for filth, into which they had also cast dead horses and the bodies of men who by the mercy of death had escaped from their further cruelties. I cannot proceed to a new subject before I add a curse on their savage practices.

Congress in consequence of this disappointment have been shuffling from Meeting House to College Hall the last seven days and have not performed half the business which might and ought to have been done, in a more commodious situation.²

On Sunday last the Committee appointed for the purpose received Monsr. Girard at Chester, and under a respectable Cavalcade conducted him to temporary Apartments at General Arnold's where the Committee, a few other Members of Congress including myself dined with him. on Monday he dined with me, walk'd an hour in the Evening and yesterday Morning Monsr. Girard breakfasted with me and explained his Mission for the information of Congress. He intimated to me his powers for appearing in the Character of Minister Plenipotentiary, or more simply a Resident; "that which he should assume awaited the determination of Congress respecting the public Character of their Minister or Ministers at the Court of Versailles, who without full powers would in many instances find themselves incapable of accomplishing essential services to these States".

He marked the distinction of Ambassador, a character in which he did not appear, and put into my hands Copy of the Kings sign Manuel appointing him Minister Plenipo: another by which he is appointed Consul General in the several United States with powers to depute and several other Papers. Copies of some of these Your Excellency will find among the numbers above mentioned. No. — respecting Prizes which may be made by American Vessels of War is another mark of the good will of our illustrious Ally and ought to be published immediately. These Papers I laid before Congress and reported all the necessary articles of conversation with Monsr. Girard. a Committee of three are appointed for considering and reporting upon the subject and upon a proper mode of receiving Monsr. Girard in form.³

412. HENRY LAURENS TO JOHN LEWIS GERVAIS.¹

15 July [1778.]

Dear Sir

. . . . When I tell you that hitherto Congress have only talked of a Table but seem to evade all Measures for covering one, either with an

² The *Journals* do not mention the "shuffling from Meeting House to College Hall", except that the first meeting had been in the state house, and that the adjournment July 9 was to "9 o'clock to Morrow to meet in the College hall". Cf. no. 404, *ante*, and no. 422, *post*.

³ See the *Journals*, July 11, 14-18, 20, 25, 28-31, Aug. 5, 6, 8, Sept. 3. Cf. nos. 400-403, 406-410, *ante*, 414, 422, 424, 430, 431, 438, 443, 449, *post*.

[412]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 212. Cf. no. 411, note 1, *ante*.

House or Viands,² that I am forced every day to entertain Delegates, Strangers and Sometimes Ministers plenipo: you will naturally ask, will Mount Tacitus, Mepkin etc. support the expence? I can assure you their produce must be uncommonly ample if they answer in the affirmative. if my diurnal Account amounted at York Town to near fifty Dollars, what will be the sum in Philadelphia. I hope not much more. be that as it may, I must bear it until the Celebration of All Saints—the first time I ever wished for the arrival of a Saints day since I left school, then by the Grace of God I mean to break up.³ . . .

413. JOHN PENN TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA, July 15th 1778.

Dear Sir:

Col. Williams never gave me the certificate of our appointment until a few days ago when we parted, he choosing to be inoculated for the small pox at Alexandria. I was then hurried and did not examine it, not having the least reason to doubt but that the powers given to the Delegates were the same as usual, however on producing the commission it was so worded as to make it absolutely necessary that all the Members should be present, to give us a right to vote. As it may be a long time before Mr. Harnett arrives or Col. Williams gets over the small Pox, I have thought it my duty to write to you by express, requesting that your Excellency would be pleased to mention whether one Gentleman by the design of the General Assembly cannot vote, if so you will be pleased to send a Commission for that purpose, but if no alteration can be made, pray inform Mr. Harnett that it is absolutely necessary for him to repair to Philadelphia without delay. I find myself in a disagreeable situation which is the reason of my application to you. I was told that the Assembly expected that the Delegates were upon the same terms as formerly. . . .

P. S. Some matters of very great importance will soon come in. It is the wish of the Southern States that North Carolina should vote, as I am confident that it was not the design of the General Assembly to alter our old mode of one Delegate representing the State. I hope your Excellency will send a Commission for that purpose. However the Clerks may have expressed the resolution of the Assembly, and we shall have nothing to do or say this year.² Enclosed is a Newspaper.

J. P.

² See no. 287, note 7, *ante*, and the *Journals*, Dec. 11, 12, 16, 22; also Laurens to Gibson, Jan. 21, 1779, in vol. IV. Concerning the entertainment of Gérard, see no. 408, note 3, *ante*.

³ November 1 (All Saints' Day) would complete a year of service by Laurens as President of Congress, and he is here indicating a determination to quit the presidency at that time. See nos. 598, 663-668, 677, 680, 683, *post*.

[413]¹ *N. C. State Recs.*, XIII. 196.

² The North Carolina credentials are in the *Journals*, July 16. They are also found in *N. C. State Recs.*, XIII. 112, 409 (with some small variations). Cf. no. 430, *post*. See also Willie Jones to Caswell, July 25, *N. C. State Recs.*, XIII. 200. Caswell's reply to Penn., Aug. 13, is *ibid.*, p. 207. The new resolutions concerning the delegation, referred to by Caswell as "this day entered into", are found *ibid.*, p. 407, with the date Aug. 12. See no. 531, *post*.

414. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
GOVERNOR OF NEW JERSEY (WILLIAM LIVINGSTON).¹

17th July [1778.]

Sir

Your Excellency's Letter of the 25th Ult^o. reached me in this City. Here many impediments prevented the forming Congress earlier than the 7th Instant. On the 8th I had the honor of presenting that Letter and the pleasure of perceiving an high degree of indignation kindling in the minds of Members as I advanced in unfolding the villianous attempts of the Enemy against Your Excellency's Person. This indignation was discernable even in Gentlemens countenances, but more strongly marked in expressions suitable to the occasion which broke forth from many quarters of the House. The Letter was committed,² but our attention almost ever since that period has been drawn to the businesses which Your Excellency well knows, naturally arise from the arrival of a Minister Plenipotentiary in the City where Congress sit, and the fleet of an Ally on the Coast which Congress wish to have cleared of Enemies.³ from these considerations Your Excellency will not be surprized that a Report has not yet come up from the Committee. . . .

415. HENRY LAURENS TO GEORGE WASHINGTON.¹

PHILADELPHIA 18 July 1778.

Dear Sir,

Yesterday I had the honor of writing to Your Excellency a public letter by James Martin and also of presenting to Congress Your Excellency's favor of the 14th, which the House received with satisfaction.

Permit me Sir, to recommend to Your Excellency's protection two Packets from the Sieur Gerard to Count d'Estaing, which will accompany this. I have assured Monsieur Gerard that it is altogether unnecessary to urge Your Excellency to give these dispatches the quickest safe passage to the Vice Admiral.

Prizes are finding the way into Delaware, one, laden with Rum Limes etc. intended for the Enemy's refreshment embraced one of our Wharves the Evening before last and I learn a Rich Ship is on her way up.

I have this moment Recd. a second Letter from the British Commissioners if I dared to venture an opinion, from a very cursory reading of the performance, it would be, that this is more puerile than any thing I have seen from the other side, since the commencement of our present dispute, with a little dash of insolence, as unnecessary as it will be unavailing. If the Marquis de Vienne will indulge me, till I return from Congress Your Excellency will find a Copy of that Letter within this. at present

[414]¹ Library of Congress, President's Letter-Book, II. 30.

² See the *Journals*, July 8. No record of a report from the committee has been found.

³ See no. 411, note 3, *ante*.

[415]¹ Library of Congress, Letters to Washington, XXIV. 34; *Letters to Washington* (ed. Sparks), II. 159.

as he is on the Wing I must send to obtain his permission and in order to be quite ready in case he shall refuse to wait, conclude this with repeated assurances of being, with the highest Esteem and Respect Dear Sir,

Your Excellency's Obliged and Obedient humble Servant,

HENRY LAURENS

[P. S.] Returned from Congress 3 oClock—a Resolve relative to the Commissioners Letter that it ought not to be answered etc. with the Letter will appear in print.²

416. HENRY LAURENS TO THE GOVERNOR OF NEW JERSEY
(WILLIAM LIVINGSTON).¹

18th July [1778.]

Dear Sir

. . . . When Congress were on the point of adjourning, your Excellency's Letter of the 17th was brought in to me, and I immediately presented it to the House, but I received no order, therefore I speak to it only private. Your Excellency's opinion respecting common Lands will have my simple voice, provided we agree in the necessary preliminary Lines.²

417. HENRY LAURENS TO THE GOVERNOR OF GEORGIA
(JOHN HOUSTOUN).¹

18th July [1778.]

Dear Sir

. . . . Georgia has at present only one Delegate in Congress who alone cannot on her part ratify confederation.² I am very unhappy from having received no further commands from Congress respecting poor little

² See the *Journals*, July 18, and no. 421, *post*.

[416]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 218.

² See the *Journals*, July 18.

[417]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 221. See no. 411, note 1, *ante*.

² Edward Telfair attended July 13 and John Walton July 23, and on July 24 these two signed the Articles of Confederation. See the *Journals*, and no. 396, note 2, *ante*. Cf. nos. 404, 405, *ante*.

About this time there must have been put into the hands of President Laurens a letter addressed to him by the Rev. Dr. Zubly. The letter, which is dated at "Middlesex, state of South Carolina, June 27, 1778", discusses in particular his banishment from Georgia and asks leave to address the President of Congress in "a Candid Narrative signed with my Name, Supported by Vouchers", etc. The letter is in the Long Island Historical Society, Laurens Papers. There is no record in the *Journals* that this or any subsequent memorial from Zubly was presented in Congress. His appeal to the grand jury Oct. 8, 1777, written immediately after the act of confiscation and banishment, is in *Ga. Hist. Quar.*, I. 161.

Elkanah Watson records in his *Men and Times of the Revolution* (p. 60): "On the 6th of February [1778], we reached the Savannah river at Zubly's ferry. At the same time, Dr. Zubly and his son crossed the river from the Georgia side. . . . Dr. Zubly informed us, that he could not conscientiously sustain the cause of Independence; and, in consequence, that he and his son were this day banished from Georgia, and his estate confiscated. He expressed strong indignation, at the ingratitude and harshness he had experienced. Although he was much depressed and extremely agitated, his conversation was in the highest degree interesting and instructive. He concluded the evening with an eloquent and affecting appeal to the throne of grace, to vindicate the rectitude of his intentions."

Georgia; in hopes of such I had detained the Bearer three days, but the arrival of a French squadron and a Minister Plenipotentiary has accumulated the labours of Congress insomuch that many necessary considerations for the benefit of particular States unavoidably lie dormant. the first hour of leisure I will give Mr. Telfair all the aid in my power to bring his state on the tapis.³

418. HENRY LAURENS TO THE MARQUIS DE LAFAYETTE.¹

18th July [1778.]

Sir

I have with pleasure executed an Order of Congress by signing and delivering a Brevet to the Marquis de Vienne to rank Colonel in the Army of United States of America. My pleasure as an individual would not have been less if my name had been ordered to a full Commission. such an one I make no doubt will be readily granted if the Marquis de Vienne shall think it more valuable than the present, when he shall be returning to his Native Clime.² Your Excellency cannot conceive the embarrassment which is often occasioned to Congress by granting Commissions to foreign Gentlemen to the prejudice of rank of many of our own home born Officers, who have served the public with honor from the very commencement of the War.

419. SAMUEL HOLTEN, DIARY.¹

[July 18, 1778.]

18. Congress received a letter from the Com'rs of the King of Great Britain, but it was couched in such terms no answer is to be given.²

420. GOUVERNEUR MORRIS, PROPOSED RESOLVES.¹

[July 18? 1778.]

A Remonstrance etc. etc. being read Congress took the same into Consideration and thereupon

Resolved that on the 4th Day of July 1776 the Colonies of New Hampshire etc. etc. being duly represented by their Delegates in Congress did declare themselves to be sovereign free and independent States, that being in full possession of the Independence so declared these United States by their Commissioners at Paris thereunto duly authorized did on the [6th] Day of February 1778 enter into Treaties of Commerce and Alliance with his most Christian Majesty thereby further asserting and being admitted to their Station among Sovereign Powers, and therefore that the said United States are entitled to and in possession of all the dignities and

³ Cf. the *Journals*, May 29, June 26, and no. 482, *post*.

[418]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 215.

² See the *Journals*, July 15, Oct. 27. Two letters from Lafayette to Laurens, both dated at Brunswick, July 6, are in *S. C. Hist. and Geneal. Mag.*, IX. 59-60, the first transmitting a petition of Major Du Bois, the second relating in part to Vienne, but also to Du Bois and Tousard.

[419]¹ *Essex Inst. Hist. Colls.*, LV. 167.

² See nos. 420-422, *post*.

[420]¹ S. C. Hist. Soc., vol. XV.

Privileges which appertain to such Powers by the Laws of Nature and Nations.

Resolved that it is the indispensable Duty of Congress to claim and maintain the Dignities and Privileges aforesaid in their fullest Latitude and Comprehension.

Resolved that no Person can *have Authority* or be authorized or admitted to treat with or make Propositions to any Prince or State on Behalf of the King or Kingdom of Great Britain unless by Powers derived from the said King in the Manner and Form customary and acknowledged among Nations.

Resolved that neither of the Commissioners above mentioned appear to be duly empowered either as an Ambassador, Minister Plenipotentiary Resident or otherwise to represent the King of Great Britain to these united States. Wherefore

Resolved that Congress can by no Means hold any Treaty with or answer any Proposition which may be made by the Said Commissioners or either of them.²

421. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADA. July 20, 1778.

My dear Sir,

Last Saturday a Letter was brought into Congress from the British Commissioners. You have it in the inclosed News Paper with a short

² This document, which is in the writing of Henry Laurens, is endorsed, "Mr. Morris's Move for Ansr. to Commiss'rs". It is without date, but the tone and contents of the resolves suggest that they were probably prepared as a response to the letter of July 11 from the British commissioners, which was read in Congress July 18. It seems less probable that they could have been intended as a reply to the commissioners' letter of June 9, particularly in view of the fact that Morris prepared the response that was actually sent. Moreover, if the resolves had been prepared on that occasion, it seems probable that Morris's letter to Jay June 23 (no. 378, *ante*) would have contained some intimation of them. The word "Remonstrance" suggests the communication of Aug. 7, read in Congress Aug. 12, but that remonstrance pertained to the convention troops, which are not mentioned in these resolves. Cf. no. 443, *post*.

The *Journals* of July 18 would seem to indicate that the resolution there recorded was taken immediately upon the receipt of the communication and without the intervention of a committee; nevertheless there may have been much intervening discussion of which the *Journals* give no intimation. That part of the letter of the commissioners which more particularly appears to have suggested these resolves is this:

"We likewise think ourselves entitled to a full Communication of the Powers by which you conceive yourselves Authorized to make Treaties with Foreign Nations.

"And we are led to ask Satisfaction on this point because we have observed in your proposed Articles of Confederation Nos. 6 and 9 it is stated that you should have the Power of entering into Treaties and Alliances under certain Restrictions therein specified Yet we do not find promulgated any Act or Resolution of the Assembly's of particular States conferring this Power on you" (Library of Congress, U. S. Revolution).

Inasmuch as the commissioners raised the question of the authority of Congress to make treaties, these resolutions propose to raise a similar question with regard to the powers of the British commissioners. In the address to the Earl of Carlisle by "An American", presumably Gouverneur Morris (see no. 421, note 2, *post*), this language is found: "It is a most diverting circumstance to hear you ask Congress what power they have to treat, after offering to enter into a treaty with them, and being refused. But I shall be glad to know by what authority you call on them for this discovery. The Count de Vergennes had a right to it, but the Earl of Carlisle certainly has not."

[421]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 218; *Writings* (ed. Cushing), IV. 45 (dated July —, printed from the draft, showing considerable variations).

Resolution upon it.² This shuts the Door and it will remain shut till they will be pleas'd to open it again. Governor Johnston has acted so base a Part as to hint the offer of Bribes to the President and every other Member of Congress, as well as the General, as you will see in the printed Letter to Mr. R Morris. By this he has in my Opinion forfeited the Character of an honest Man and expos'd himself to the just Contempt of the World. I hope some Strictures will be made in the News Papers on this, as well as the disrespectful and even insolent Language in the Commissioners' Letter, not so proper to be noticed by Congress. I have lately been well assured that a Bribe of ten thousand Guineas has been offer'd to a Gentleman of Station and Character here. He refus'd it, as you might well suppose, with proper Resentment, telling the *Lady* who negotiated this dirty Business, that the British King was not rich enough to purchase him.³

Mr. D.⁴ of whom I may hereafter have much to say to you, is arriv'd with the *Sieur Gerard*. I have long ago made up my opinion of the American Commissioner, and have not yet alter'd it. That of the french Minister is a sensible prudent Man, not wanting in political Finesse, and therefore not to be listend to, too implicitly. The french Squadron lies off Sandy Hook. . . . Mr. D's political and *commercial* Friends, some of whom I suppose are in Boston, are dispos'd to give him great Eclat, on Account of the Aid afford'd us in sending this Squadron. His Interest is represented as having been very forceable in procuring it, and the News Papers mention the Tokens of great Respect shown to him by the King and his Ministers at Versailles. The Truth, as I conceive it is, The total Overthrow of Burgoyne's Army was an Event which, it was thought, would produce Overtures from Britain, and France was apprehensive of our listening to Terms and compromising Matters. Hence it was, more than from any other Cause or the Interest of any Individual, that a Treaty was facilitated and agreed to; and to secure us in their Alliance and suport us in our Independence was, I suppose, their Intent in sending this Squadron as well as the Purpose of Mr. Gerard's Mission.

I have not yet answer'd your Letter of the 26th of June. I declind it, until I could assure you that the Sum you wish'd for, for the Use of your Department, was granted. I now have the Pleasure of acquainting you,

² In the *Pennsylvania Packet* of July 21 are found: the letter of Carlisle, Clinton, Eden, and Johnstone to Congress July 11, Johnstone to Dana June 10 (with omissions), Johnstone to Reed Apr. 11, Johnstone to Morris June 16, "An American" (*Gouverneur Morris?* cf. no. 378, *ante*) to the Earl of Carlisle, and W. H. D. (William Henry Drayton) to the commissioners July 18. Drayton's address includes an extract of Johnstone's letter to Robert Morris and also a statement of Joseph Reed, the latter being essentially the same as that included in the "Declaration" of Congress Aug. 12. These letters are in Almon's *Remembrancer*, 1778-1779, pp. 8-12, 19-22. See nos. 360, 373, *ante*; cf. no. 514, *post*.

³ Joseph Reed. Cf. no. 373, *ante*, and nos. 422, 429, *post*. The lady was Mrs. Elizabeth Ferguson. An account of the episode by Joseph Reed, bearing the date Sept. 8, 1779, was printed by Francis Bailey in the same year, with the title, *Remarks on Governor Johnstone's Speech in Parliament; with a Collection of all the Letters and Authentic Papers relative to his Proposition*, etc. It includes a statement of Mrs. Ferguson "To the Public", dated Feb. 16, 1779, relating her part in the affair.

⁴ Deane. See no. 401, note 2, *ante*.

that it is done and the Money will be orderd on as soon as it arrives here from York Town, which is every hour expected.⁵ The Marine Committee have agreed that the Navy Board shall appoint Commanders for Vessels of War under Twenty Guns.⁶

I find Mr. Dana⁷ an excellent Member of Congress. He is a thorough Republican, and an able Supporter of our great Cause. I am satisfied it would be for the great Benefit of our Country if you and he were to form an intimate Connection with each other. This I am the more desirous of, because I have no Idea of your being long secluded from the publick Councils. He will go home shortly.

422. JOSIAH BARTLETT TO WILLIAM WHIPPLE.¹

PHILADELPHIA July 20th. 1778.

My Dear Sir,

Since I wrote you last week nothing very material has happened. Mons Girard has informed Congress that the King his master, has left it to Congress to receive *him* as Minister Plenipotentiary or as a simple resident; that he had two commissions and would produce that which would be most agreeable; that it was expected our Ministers at their Court would be entrusted with the same commission we should choose to receive Mr Girard in: signifying at the same time, that it was the wish of the French Court he should be received as Minister Plenipotentiary, as it would be doing more honor to these States, and would be entrusted with greater powers, which would be a great advantage at the distance the two States were from each other and he likewise requested a public audience as soon as convenient. The Congress have agreed to receive him as Minister Plenipotentiary but the adjusting the ceremonial, has taken some time and is not yet agreed on, nor the day appointed.² Beside he will be rec'd in the State House which was left by the enemy in a most filthy situation³ and the inside torn much to pieces and is now cleansing and repairing for the purpose. . . .

Last Saturday we rec'd another letter from the British Commissioners dated at New York the 11th. inst.: they seem much dissatisfied with our answer to their former letter, dispute our authority to make treaties, demand to know the nature of the treaties we have entered into, intimate that we are not the representatives of the people and threaten to submit to the people at large to judge between the Congress and them. The Congress resolved that as the Commissioners had not complied with the terms

⁵ See no. 409, *ante*, and the *Journals*, July 15, 16. Cf. the draft in *Writings*, IV. 45.

⁶ The marine committee's letter dated July 24, is in Paullin, *Out-Letters of the Marine Committee*, I. 270. Cf. no. 440, *post*.

⁷ In the draft the name is left blank. Adams is doubtless writing anent a remark of Warren in his letter of May 31 (*Warren-Adams Letters*, II. 13): "I suppose my *Cousin* will be an Influential Member."

[422]¹ Library of Congress, Force Trans., Whipple, p. 519; Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., p. 213; N. Y. Pub. Lib., Bancroft Coll., Langdon-Elwyn Papers (copy of part).

² Cf. no. 411, note 3, *ante*, and nos. 438, 443, 449, *post*.

³ The Sparks copy has "condition". Cf. nos. 404, 411, *ante*.

we had laid down in our answer to their last, no answer ought to be given to this and ordered it to be published. If it comes out before the post goes out, I will try to send it for your perusal. Sundry letters rec'd by private members from the Commissioners are ordered to be printed, which will I think convince the world (if it is not already convinced) of the meanness and depravity of the Commissioners. They have not only in a polite manner in some of their letters hinted at bribes to be given to bring their purposes to pass, but have actually (by means of a woman in this City) offered ten thousand guineas to one of the members of Congress and any office he should choose, for his assistance in carrying their plan of reconciliation into effect. Probably similar offers have been made other persons who may not yet have informed of it.⁴

423. JOSIAH BARTLETT TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

PHILADELPHIA, July 20th 1778.

Hon'd Sir:

I have Received your favor of the 3d Inst: This Day with the order of the Committee of Safety to Mr. Wentworth and my self to apply to Congress for Two Hundred Thousand Dollars in behalf of our State, and will take the Earliest Opportunity to lay the same before Congress.

The Enormous sums of money it takes to supply the army and navy, at the present advanced price [of] things, and the great Desire of Congress to avoid as much as possible the Emission of more bills of Credit, will I fear retard the Business, and perhaps lessen the sum granted. But I shall use my best Endeavors that the Requisition may be Complied with.²

The former Commissions and instructions for armed vessels being judged very Defective, The Congress sometime ago appointed a Committee to make a new Draft and lay it before the Congress for their approbation, but by reason of the multiplicity of Business, it has not yet been Done as soon as any are printed, I will endeavor to send some forward to our state.³

I am sorry to inform you that Mr. Wentworth is not yet arrived here from York Town.⁴

⁴ See the *Journals*, July 9, 16, 18, Aug. 11, 12. Cf. nos. 419-421, *ante*, 424, 429, 430, 432, 442, 443, *post*.

[423]¹ Mass. Hist. Soc., C 81 A 37; Library of Congress, Force Trans., Weare, p. 128; Haverford College, Roberts Coll. (draft with variations); *Hist. Mag.*, IV. 331.

² See the *Journals*, Oct. 5. Cf. nos. 447, 507, *post*.

³ Such instructions were issued to the marine committee Mar. 5, but it cannot be discovered from the *Journals* when the committee made a report on the subject. Cf. no. 438, *post*.

The text of this paragraph as printed in *Hist. Mag.* varies somewhat from that here given. In that text the paragraph concludes with the following sentence: "Hope it will be soon, as many of the States are calling for them." There are several other variations. See note 5, below.

⁴ In a letter to President Weare July 11 Bartlett wrote: "Mr. Wentworth had a fever at York Town was pretty bad I tarried with him 4 days after the Congress adjourned left him better Thursday the 2nd Instant Have not heard from him since Hope he will be here the beginning of the week" (Library of Congress, Force Trans., Weare).

The Confederation is agreed to by all the States Except New Jersey, Delaware and Maryland, and I have signed it in Behalf of our State, but as the Power to Ratify was Given to the *Delegates* in Congress, I have some Doubt (as have some others) whether my signing it is a sufficient Ratification notwithstanding our appointment authorizes us severally to Represent the State in congress.⁵ and if Mr. Wentworth should not be able soon to come and Sign it, I Earnestly request the State to give some order about it.⁶

424. RICHARD HENRY LEE TO THOMAS JEFFERSON.¹

PHILADELPHIA July 20th. 1778

Dear Sir,

. . . . With this Squadron [D'Estaing's] came Le Sieur Gerard Minister Plenipotentiary from his Most Christian Majesty. He is a sensible well bred Man, and perfectly well acquainted with the politics of Europe. From him I learn that the Court of France consider the Message of the King of England to his Parliament and their answer, upon the Count Noailles notification of our Alliance, as a denunciation of War on the part of G. Britain, and that they mean to Act accordingly, without an express declaration, leaving this last to England.

We are busied now in settling the Ceremonials for the reception of foreign Ministers of every denomination—And I assure you it is a work of no small difficulty. When this is finished, Monsr. Gerard will have his audience in Congress—I suppose this week.²

The B. Commissioners have sent us a second letter, very silly, and equally insolent. The preliminaries insisted on by Congress (an acknowledgement of Independence or a withdrawing of their fleets and Armies) not having been either of them complied with, this letter is to receive no answer. We have detected and fully exposed Govr. Johnstone, who under the plausible guise of friendship and Virtue, has endeavored to bribe Members of Congress—The whole body indeed, as well as individual Members.³ The Confederation is ratified by 10 states, there remains only Jersey, Delaware and Maryland; but I suppose their obstinacy will e'er long submit to their interest, and a perfect coalition take place.⁴

⁵ The words "notwithstanding . . . Congress" are not found in the text in *Hist. Magazine*. Cf. nos. 507, 560, *post*.

⁶ See the *Journals*, June 23, 27, and nos. 396, note 2, 403, 404, 405, *ante*, 424, *post*. [424]¹ Library of Congress, Jefferson Papers, second ser., LI. 19; *Letters* (ed. Ballagh), I. 426; Lee, *Memoir of Richard Henry Lee*, II. 43.

² Cf. nos. 408, 411, 422, *ante*, and no. 438, *post*.

³ See no. 422, note 4, *ante*.

⁴ Cf. nos. 396, note 2, 403-405, 410, 417, 423, *ante*, 456, 560, 567, 599, 612, 628, 630, 638, *post*. Strictly speaking, North Carolina and Georgia had not completed their acts of ratification, as the articles were not signed by the delegates of those states until July 21 and 24 respectively. For a movement by Virginia to confederate without Maryland, see a letter from the North Carolina delegates to Governor Caswell May 20, 1779, and one from the Virginia delegates to Governor Jefferson, May 22, in vol. IV.

425. SAMUEL HOLTEN, DIARY.¹

[July 20, 21, 1778.]

20. Received an account that the French Admiral is sending a number of Prisoners here.

21. Col. Partridge from our Court paid me a visit and informed me he was charged with several Public matters from said Court to Congress.²

426. THE NEW YORK DELEGATES TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

PHILADELPHIA 21st. July 1778

Sir

Just before we left York Town in Conjunction with our Colleague Mr. Lewis we moved for and obtained from the Congress an Advance of 100.000. Dollars for the Use of the State and for which they are to be accountable.² The Reasons were as follows. We found by various Intelligence laid before Congress that the savages were about making an Irruption upon our Frontiers and from the probable Evacuation of Philadelphia it was not unlikely that the british General would again pursue his favorite Object of Hudson's River. In this Situation of Affairs it appeared to us that Money might be wanting in our Treasury which we had Reason to believe was not very full and further we were informed that our Militia remained unpaid for Services formerly done and therefore might not turn out with their usual Alacrity These Things were laid before Congress and they surprized at the Moderation of a Demand which we venture to say from any other State in similar Circumstances would have been at least three Times as great instantly made the Grant. The Adjournment to Philadelphia The Change of Political Circumstances by the Battle of Monmouth and arrival of the French Squadron on both of which Incidents we heartily congratulate your Excellency, And the Want of a safe Opportunity have delayed the sending forward of the Money. We have further to observe to your Excellency that the Complaints of our Fellow Citizens who are unpaid by Commissaries Quarter Masters and the like have been laid before Congress but unfortunately the Complaint is universal and therefore it is objected that a general Remedy is necessary³ In this Situation we have it in View to obtain a Recommendation to the State to liquidate and adjust those Accounts in like Manner as their own Accounts are liquidated and adjusted and this Money may be of Use in discharging them. Besides this it is to be further observed that the Continent are very considerably indebted to our State and the Accounts will be settled with greater Ease full than empty handed. Mr. Duer would have gone

[425]¹ *Essex Inst. Hist. Colls.*, LV. 167.

² Probably the matters presented in the Massachusetts letter of June 23. See the *Journals*, July 21, Aug. 8, 10, 11. Partridge was elected a delegate to Congress June 29, 1779, and took his seat Aug. 20 following.

[426]¹ *N. Y. Hist. Soc., Duane Papers*, V. 1 (draft, in the writing of Morris); *Public Papers of George Clinton*, III. 567.

² See the *Journals*, June 20, 22.

³ Cf. the *Journals*, June 11, Aug. 4, 5, 17, Oct. 31, Nov. 10, Dec. 22.

forward long ago but Mr. Lewis was under the Necessity of going to Baltimore to bring up his Family and the State would have been unrepresented had Mr. Duer left this Place. We hope that the Arrival of Genl. Schuyler or of Mr. Lewis will soon put it in his Power to return to the State.

We do ourselves the Honor to enclose to your Excellency a Copy of the Report brought in but never yet read upon our Vermont affairs.⁴ We think it short of what is necessary and shall therefore urge Congress to such Amendments as may render it more equal to the Purposes proposed to be answered by it. It is possible Sir that our Constituents may be led to beleive that there hath been a Remissness in their Delegates in not urging this Business with a Degree of Rapidity which in their Opinion would have ill answered the wise Purposes of the Application. Your last Letter⁵ on this Subject is now before us and we shall do ourselves the Honor to present it as soon as the Matters necessary to the Audience of the French Minister shall be adjusted which is not yet done so dilatory are the proceedings of our Body. The Presenting your Excellency's Letter will afford a proper Opportunity to call for and urge the Report the Amendments to which will be if within our Powers such as are stated on the Enclosed Paper.

We are with the Greatest Respect Your Excellency's Most obt. etc.

WM. DUER

GOUVR. MORRIS.⁶

427. A COMMITTEE OF CONGRESS, REPORT.¹

[July, 1778.]²

The Committee to whom was referd the letter from Govr Clinton of the 7th of April AD 1778 with the proclamation Inclosd take leave to report the following Resolutions—

Viz

Resolved that the Independant Government attempted to be Established by the people Stiling themselves the Inhabitants of Vermont cannot derive

⁴ The report is doubtless that prepared by the committee (appointed Apr. 20) on Clinton's letter of Apr. 7, and alluded to in the delegation letter of Apr. 30, no. 237, *ante*. The report is no. 427, *post*. Cf. nos. 381, *ante*, 469, *post*, and see the *Journals*, Sept. 16.

⁵ Clinton's letter dated July 8 was read in Congress Sept. 18.

⁶ The draft has no signatures, but these names are affixed to the text in the *Clinton Papers*.

[427]¹ N. Y. Hist. Soc., Duane Papers, IV. 403-404 (in the writing of Samuel Huntington); *Clinton Papers*, III. 569.

² A copy of this report was enclosed with the letter of the New York delegates to Governor Clinton, July 21 (no. 426, *ante*), and there designated as a "Copy of the Report brought in but never yet read upon our Vermont affairs". The committee was appointed Apr. 20, on a letter of Apr. 7 from Governor Clinton, and it is doubtless the resolutions expected as the outcome of this report which the delegates hoped, Apr. 30 (no. 237, *ante*), to transmit in a few days. It can not be discovered from the *Journals* when the committee brought in the report, or whether this particular report was ever taken into consideration by Congress. In the Duane Papers only the report, in the writing of chairman Huntington, is found; but in the *Clinton Papers* the report is followed by the amendments which the delegates indicate it is their purpose to offer (see no. 428, *post*).

any Countenance or Authority from the Congress of the thirteen United States of America.

Resolved that no number or body of people within any part of these United States can be Justified in Attempting to form and Establish any new Independant States within any part of these United States without the Consent of the State or States in which they are and were Included at the time the Congress were at first Elected and Convened for the Safety and defence of these United States; and the approbation of Congress.³

And it is recommended in the Strongest terms to the people aforementioned and all other the good people of these United States and any particular State Interested or Claiming to be Interested in the premises to refrain from all Acts of violence and coercive measures as they regard the peace and welfare of these United States.⁴

428. THE NEW YORK DELEGATES, PROPOSED RESOLUTIONS.¹

[July, 1778.]

The Committee who brought in this report ² were: Mr. Huntington, of Connecticut, Mr. J. B. Smith, of Pennsylvania, and Mr. Francis Lightfoot Lee, of Virginia.

Amendments intended to be proposed to the Report:

Resolved, that no man or body of men can of right on any territory within North America form or establish any State, (other than those which were called the British Colonies, Provinces, or Plantations in North America,) without the Special consent of that State within which such territory shall lie, and the approbation of Congress.

Resolved, that Congress do highly reprobate all attempts to set up, form, or establish any new State or government, as tending to break the Union of the States they represent, to produce civil wars, and to destroy the peace, freedom, and happiness of America.

Resolved, that Congress have not given and will not give any countenance or authority to the discontented subjects of the State of New York, Styling themselves the inhabitants of Vermont, but do disapprove of their proceedings.

Resolved, that it be most earnestly recommended to the persons aforesaid, forthwith to submit peaceably and quietly to the jurisdiction, government, and authority of the said State of New York, and that they represent unto the said government any grievances they may labor under.

Resolved, that the State of New York be requested to forbear, for the present, all coercive measures to compel the submission of their discon-

³ In the Huntington copy (Duane Papers) the following resolution is found, although erased:

"Resolved that a Copy of these Resolutions be forthwith Transmitted to the people Stiling themselves Inhabitants of Vermont and that they be directed to lay before Congress the Causes and reasons of their proceedings in attempting to Establish a new Government to the end that such proceedings may be had thereon as to Right and Justice shall be found to appertain."

⁴ Endorsed, in the writing of James Duane, "draft of Resolutions for a decision".

[428]¹ *Clinton Papers*, III. 569.

² No. 427, *ante*.

tented subjects, and also, on a proper representation, to redress the grievances they labor under, if any there be.³

429. JOSEPH REED TO MRS. REED.¹

PHILAD. July 21 [1778.]

My dear Hetty

I send you inclosed all the News Papers published since I wrote you last by Capt. Mercers² Harry. You will in the last Paper find Govr. Johnstones Letter to me published by Order of Congress. I had some Difficulty to prevent the Extracts from your Brothers Letter [from being] published in the same Paper. You will perhaps wonder at this as supposing it contains nothing disadvantageous to him, but I assure you a very different Idea was entertained of it in Congress and I only got it withdrawn on the Plea of personal Favour.³

430. JOHN PENN TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA July 21st 1778.

Dear Sir:

I wrote to you the 15th Inst. by an express informing you that by the Commission Col. Williams obtained it would require three Delegates to be present before the State could have a vote, and then indeed we must be all of one opinion. As there are several gentlemen here that represent the State they belong to singly, and as I proposed to our Assembly that they would choose four Delegates confining two to be here at a time, which was not done, the Members saying they would proceed the old way, I am induced to wish that your Excellency would send a Commission giving all or either of us a right to vote until November,² when I think the Confederation directs two. I mention this again lest some accident should happen to the express.³

Monsr Gerard the French Minister is here, he is a very polite and well bred man, Mr. Deane says he has been our first friend in France. . . . We had a curious letter from the Commissioners lately, calling upon us to know, by what authority we presume to make treaties with the King of France, or any other foreign power, declaring we had no authority delegated to us, for that purpose by the Assembly's of the different States, before or since the supposed confederation; the answer was short, "that

³ Cf. the *Journals*, May 22, 1779, and a letter of the New York delegates to Governor Clinton, June 1, 1779, in vol. IV.

[429]¹ N. Y. Hist. Soc., MSS. of Joseph Reed, IV.

² Probably John Francis Mercer of Virginia, who had, however, been made a major June 8, 1778, and was aide-de-camp to General Lee. There was a Captain John Mercer of New Jersey, who had, however, since February, 1777, been a prisoner of the British. See Heitman, *Hist. Reg.*

³ See nos. 357, 373, 422, ante, 442, 443, 467, post. Mrs. Reed's brother was Dennis Deberdt. Cf. vol. II., no. 25.

[430]¹ N. C. State Recs., XIII, 198, XXII, 975.

² The other text has "November 3". According to the Articles of Confederation Congress was to meet the first Monday in November, which, in 1778, would have been November 2.

³ Cf. no. 413, ante, and see the *Journals*, July 24.

the British Fleet and Army not being sent away, nor the Independence of America acknowledged, no answer be given".⁴ Enclosed is a Newspaper. I hope Sir you will forward a Commission by the first opportunity as desired unless you find some express resolution to the contrary, of the Assembly. Indeed I am perfectly satisfied from what I heard when at New Bern, that no alteration was intended. I feel myself in an awkward situation not having a right to vote, matters of importance will soon be debated.

431. ANDREW ADAMS TO OLIVER WOLCOTT.¹

Sir

PHILADELPHIA 22d July 1778

The Arrival of the French fleet added to the Battle of Monmouth seems to put our affairs upon a respectable Footing and Defuses a general Joy among the friendly Inhabitants of this City: however I must freely own I dont feel myself so compleatly flush'd upon this Occasion as many do: I cant say but it may be attended with the happy Consequences expected; but when I view the Matter upon a larger Scale sundry Questions suggest themselves for our Consideration; I was fully of Oppinion that the War was drawing to a speedy issue: I look'd upon the present Campaign as the last, and that we had before us every prospect of Success, and our Independ[enc]e as fix'd—upon this View of the Case I would quere whither the arival of this Fleet will not be a Means of lengthining out the War, and also ley us under an Obligation of affording France an arm'd force in Case they Need it which as the Case may be circumstanced as to time place etc. may be very disagreeable to our Northern people: besides would it not be much to our Advantage had we settled the present Controversy in our favour without a foreign Aid.

Under such Idears I have never been fond of the Assistance of any foreign Power: However I am no Adept in Politicks, nor do I pretend to determin those Questions either Way. I only hint some things that have ever been upon my Mind and leave the Decision to abler Politi[cia]ns or future Time—should be glad of your Sentiments upon those Matters.

The Seieur Gerard with Mr. Dean arrived in this City (if I mistake not) the 12th instant; he has not as yet been admitted to an Audience: The Cerimonials for that purpose are fix'd and that will now be done in a very few Days: he is not to be recd. as Ambassador but as Minister Plenipotentiary.²

432. HENRY LAURENS TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

Sir:

PHILADELPHIA 23d July, 1778.

As I have nothing public in charge for your Excellency I must request you sir to indulge me in this private, for the cover of six marine commissions, instructions and bonds, and of a letter to Captain Cottineau.

⁴ See the *Journals*, July 18. Cf. nos. 419-422, 424, 429, *ante*, 432, 442, 443, *post*.

[431]¹ Conn. Hist. Soc., Oliver Wolcott Papers, I. 43.

² Cf. nos. 411, 422, 424, *ante*, 438, 443, 449, *post*.

[432]¹ N. C. St. Recs., XXII. 976, XIII. 199; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 225 (dated July 22).

The Captain applied to me in York town, for a commission for his own ship, and for one or two which he said he intended to equip and to form a little squadron. Congress is not inclined to grant commissions for vessels in distant States unless special descriptions are previously laid before them. Your Excellency will be capable of judging of the propriety of Captain Cottineau's pretensions and will act as you shall think for the benefit of the public. At this critical moment 'tis highly probable demands will be made on your Excellency for all that remains after Captain Cottineau shall be supplied.²

I take the liberty of enclosing to your Excellency two of the latest newspapers.

I am anxious that Congress should resolve to hold no conference with men who have dared to tempt them with bribes of gold, and I trust that through the endeavors of some diligent patriots in the House, those men will be compelled to return the bearers of their own impeachment, will be held up to the severe resentments of their much injured countrymen, and their names transmitted to posterity in characters which will render their memory infamous.³

433. JONATHAN ELMER TO EBENEZER ELMER.¹

PHILADA. 23d: July 1778

D'r Brother

. . . . The complaints of the Officers of the Army which you mention I acknowledge are in general but too well founded. But when you reflect upon the rapid progress of our political affairs, the multiplicity of business Congress have had to transact, and the many difficulties they have had to surmount; I am convinced you will readily perceive that Congress is often unjustly complained of. The depreciation of our paper Currency is irremediable at present, as it arises in a great measure from the superabundance of it in circulation. But as our affairs now begin to wear a smiling aspect, and as we are beginning to sink our bills of credit by Taxes, the value of our money will indubitably soon begin to appreciate. This in my opinion ought to afford some satisfaction to those who are at present sufferers in the Service of their Country.

I have very little reason to believe that any new regulations respecting the medical department in the Army will take place this Campaign, Congress having too much business on hand of a more general and important nature, to attend to that matter.

Dr. E: Elmer²

² See *N. C. State Recs.*, XII. 593, 599, 614, 700, 734, 738.

³ See no. 430, *ante*, and nos. 442, 443, *post*.

[433]¹ Collection of the late Garrett D. W. Vroom, Trenton, N. J.

² Dr. Ebenezer Elmer was surgeon of a New Jersey regiment. Sketches of him and his brother, Dr. Jonathan Elmer, are in Appleton, *Cyclo. Am. Biog.*

434. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF VIRGINIA (PATRICK HENRY).¹

24th July [1778.]

Sir

I have to acknowledge the receipt of Your Excellency's several favors of the 4th, 8th and 16th Instant, which have been in due course presented to Congress, but hitherto I have received no commands in return. supposing Your Excellency's Messenger, who will be the bearer of this may have been employed for the special purpose of bringing your favor of the 20th and that expences are consequently increasing every day; I have judged it best to dispatch him without further delay. I have Men here employed as Messengers in constant pay. one of these shall conduct to your Excellency such Resolves as Congress shall form on the last mentioned Letter immediately after the Act shall be sent to me. That Letter had been committed to the Board of War on Monday last a Report was made yesterday, and after some Debate re-committed. If I dare judge of opinions not yet delivered Congress will coincide with your Excellency's respecting the intended expedition against Detroit, and the further raising troops of horse.²

435. SAMUEL HOLTEN, DIARY.¹

[July 23-26, 1778.]

23. I removed from the Wid^o Robinson's to board at the house of Miss Dolley and Clark in 2d street.² I dined and drank tea at Doctr. Shipin's, director Genl. of the continental Hospital.

24. I dined with the President, and went and viewed the Hospital, workhouse and City goal, they are very elegant and great Buildings.

25. Two months this day since I left home. Col. Partridge³ spent the afternoon with us.

26. Sabbath day. I went to St. Peter's Church in the forenoon and in the afternoon to the College where I heard the best sermon since I left Boston. Dr. Weatherspoon and Colo. Partridge dined with us.

[434]¹ Library of Congress, President's Letter-Book, II. 32.

² See the *Journals*, July 13, 20, 22, 25. There were actually four letters from Governor Henry, July 4, 8, 10, and 16, and the dates have been somewhat confused in the entries in the *Journals* (cf. no. 436, *post*). They are in Henry, *Life of Henry*, III. 178, 180, 183, 185. The letter of Patrick Lockhart July 3, enclosed with Henry's letter of July 10, is *ibid.*, p. 184. The originals are in Papers Cont. Cong., no. 71, vol. I., ff. 161, 165, 169, 173, 179. The letter of July 8 is endorsed by Laurens: "Govr. Henry 8th July 1778 Read late P. M. 18th"; by Secretary Thomson: "Read 20 Referred", etc.

[435]¹ *Essex Inst. Hist. Colls.*, LV. 167.

² See no. 388, *ante*. Samuel Adams speaks, in the letter to his wife Dec. 13 (no. 671, *post*), of Mrs. Clark and her sister, Miss Daily, in whose house the Massachusetts delegates resided. William Whipple refers to it (see no. 615, note 4, *post*) as "Liberty Hall". The name which appears in Holten's Diary as "Dolley" and in Adams's *Writings* as "Daily" was probably *Dally* or *Dalley*. Gifford Dally was the keeper of the City Tavern. See no. 449, note 2, *post*. It may therefore have been at the City Tavern that Holten took tea on New Year's Day, 1779, for he records under that date, "I drank tea at Mr. Dolley's".

³ See no. 425, *ante*.

436. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF VIRGINIA (PATRICK HENRY).¹

26th July [1778.]

Sir

I beg leave to refer Your Excellency to my last Letter under the 24th by the returning Messenger.

Inclosed with this Your Excellency will receive an Act of Congress of the 25th consisting of divers Resolutions founded on a Report from the Board of War to whom Your Excellency's Letters of the 8th and 10th Instant were referr'd; either the Board of War have misquoted these dates or the Secretary's return led me into an error in reciting them in my last.²

This Act contains so full an Answer to Your Excellency's Letters on the intended Expedition against Detroit, and the raising a Reinforcement of Infantry and Cavalry in Virginia as leaves me nothing to add, except an explanation which I am directed to make on the 5th Resolve. It is meant and intended by Congress by the inexpediency of the march and services of those Troops that an immediate abatement of expence shall be made

Nothing from His Excellency General Washington or from Count d'Estaing since my last.

437. HENRY LAURENS TO JEAN BAPTISTE LAZARUS THEVENEAU DE FRANCY.¹

26th July [1778.]

Dear Sir

. . . . The Letter which you sent from the Commercial Committee was deliver'd to me by that Board and immediately presented the Congress. The House order'd it to be returned to the Committee, and that they should after full consideration make a special Report. This happened yesterday Morning, Congress did not rise 'till near four o'clock P. M. this is Sunday consequently the Report cannot be made before tomorrow, but considering the business which we have to transact with Mr. Girard I rather think nothing will be done in your affair before Wednesday; to prevent anxiety therefore to your self and perhaps some expence I submit to your Servants importunity to return, and you may be assured of hearing from me by a special Messenger without the loss of one minutes time after I shall have received the commands of Congress. And if I form a right judgement from the sentiment of particular Members you will be convinced that Congress have in view nothing short, or that you can in our present Circumstances require in favor of Monsr. Beaumarchais, and in fulfilment of the Contract lately entered into.²

[436]¹ Library of Congress, President's Letter-Book, II. 34.

² See the *Journals*, July 25, also no. 434, *ante*, and no. 439, *post*.

[437]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 229. Addressed to him at Williamsburg.

² See the *Journals*, July 25, Aug. 1. Cf. nos. 109, 133, 186, 240, 279, 281, *ante*.

438. JOSIAH BARTLETT TO WILLIAM WHIPPLE.¹

PHILADELPHIA July 27th. 1778.

My Dear Sir,

. . . . The Congress have some time since determined as soon as possible to take up the Marine affairs and make some very essential alterations in it and also the affair of our money which seems to be going to confusion by the enormous rise of every thing, but when it will be done *God knows*.² The almost innumerable letters and business that daily crowd upon Congress for want of regular Boards, properly appointed and filled, and the time it takes in such large Assemblies, to transact business, keeps us forever behindhand in our affairs and I am sorry to say that sometimes matters of very small importance waste a good deal of precious time, by the long and repeated speeches and chicanery of gentlemen who will not wholly throw off the lawyer even in Congress.

Till we get into better regulations as to our Marine Affairs, I am persuaded no class of men are so much wanted in Congress as men acquainted with that business, for though Navy Boards are established, yet there is a constant appeal to the Marine Committee of Congress, who I am sure are at this time inadequate to the business. I hope our State will have wisdom enough to appoint you to relieve me here in the fall and that you will have virtue enough still to forego your own private interest for the public good and will accept of their appointment and without flattery I really think you would be very serviceable to the public here, especially in the Marine Department. If I knew you would not attend Congress I should be glad you might be appointed one of the Navy Board at Boston, for I am sure that Board does not attend sufficiently to the business.

Mons: Girard has not yet had the ceremony of an audience but believe it will take place some day this week: the ceremonials are agreed on by Congress and the House nearly cleansed and fitted up. The *Minister* seems urgent to have it as soon as may be.³

439. RICHARD HENRY LEE TO FRANCIS LIGHTFOOT LEE.¹

PHILA. July 27th 1778.

My Dear Brother,

. . . . The change in Affairs has occasioned Congress to desire that both supplies of Infantry and Cavalry from Virga. voted by last Assembly, may be not sent forward, and the expedition against Detroit is changed to a Chastisement of the offending Indian Tribes to the West and North West.²

[438]¹ Library of Congress, Force Trans., Whipple, p. 525; Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., f. 214½.

² Cf. no. 423, note 3, *ante*.

³ The audience was given Aug. 6. See the *Journals*, July 14 to Aug. 6, *passim*. See nos. 408, 411, 422, 424, *ante*, and nos. 443, 449, *post*.

[439]¹ Univ. of Va., Lee Papers; *Letters* (ed. Ballagh), I. 428; *Southern Literary Messenger*, XXX. 14 (Jan., 1860).

² See the *Journals*, July 25, and no. 456, *post*.

Mr. D——r³ is deep in the [plot] for supporting [Deane] and the [party] so that he remains [here] though leave of absence has been long asked and granted.

I am really tired with the folly and the wickedness of Mankind, and wish most earnestly to be retired absolutely. . . .

440. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADA. July 27, 1778.

My dear Sir,

Capt. Manly has obligd me with your favor of the 5th.² He and McNeil are here with different Views. The one to obtain another Ship, and the other to get the Sentence of a Court Martial reversd. Perhaps both may be disappointed. I have receivd a Number of Letters by both. To yours I shall pay a particular Regard, because I am well satisfied you never suffer Prejudices to divert your Attention from the great Object—the publick Good. “Manly is a blunt, honest and *I believe* brave officer.” I observe your Caution, and am pleasd with it; for I think it is a fresh Proof of your Integrity. Manly’s Bravery is an Article of your *Belief*. His Bluntness and Honesty are Matters of Certainty. I have not yet looked into the Papers; but I recollect to have heard, when they were read, the Want of *Experience* imputed to him, and some thing that had the Appearance of blaming him for not giving any Signals for the Direction of the Ships under his Command. This it must be ownd, strongly implys a Want of *Discretion*. Does the Character of a blunt and honest officer intitle him to the Command of a capital Ship if he is deficient in Point of Experience and Discretion? Especially if he has had the Misfortune of losing one already. “McNeils Address is insinuating, his Assurance great. He will tell you fine Storys,” etc. I should think he had taken his Lessons out of Hutchinson’s political Book, if I had not Reason to believe that he used to despise him most heartily. When I advert to a Letter from another of my Friends,³ I find him “open and sincere,” “His Temper naturally warm, which he has sometimes indulged in speaking his Mind freely of Persons in office.” This you know has always been deemd an unpardonable Sin, and I am affraid it always will be. To be sure it always will be so deemd by that Kind of Men *in office*, who meet with none to hinder them from persisting in the most egregious and expensive Blunders, but the *open sincere* and *warm* Friends of the Country. “We all know”, says my Correspondent, “his Zeal and Sufferings for our glorious Cause.” Such a Character, I must confess, commands my Friendship; but it has no Consideration in the present Appeal. Has he had a fair Trial? I pay a proper Regard to the Decisions of Courts

³ Duer. The words in square brackets in this passage were written in cipher. See nos. 268, 295, *ante*, 524, 590, *post*. Concerning the Deane affair, see no. 401, note 2, *ante*, and no. 487, *post*.

[440]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 217; *Writings* (ed. Cushing), IV. 41 (dated July —, printed from the draft, showing variations).

² Warren’s letter of July 5 is in *Warren-Adams Letters*, II. 30.

³ The writer of this letter has not been identified.

Martial, and shall not give my Voice for altering them, but when Error, Partiality or Injustice shall appear plainly to my own Satisfaction.⁴

Our Navy officers must not expect to pick and chuse for themselves. They ought to be content with such Appointments as are given to them. Indeed Appointments should be made with more Judgment than I think they can be by any Set of Men at three or four hundred Miles Distance. For this Reason I movd that they m't be made by the Navy Board, which obtained in a certain Degree, as you will see by a Letter from the Marine Committee.⁵ Had this been the Case before, Olney⁶ would have remained in the *Resistance*, and Burk⁷ must have waited for another. If the *Queen of France* is a better Vessel, it will turn out not to the Disadvantage of Olney. While we have more Captains in Commission then we have ships to give them, there must be Disappointments, Envys and Suspicions (often-times unreasonable) of each other. This is the Make of Man, and we may as well think of stopping the Tide as altering it. "The Appointment of Cap. Landais affords an ample Subject for the Observations of Speculatists, and the Resentment of Navy officers." I think he is, as you observe, an ingenuous and well behavd Man; and if he is an able and experienced officer, as we are assured he is by those who ought to give us the best Information, it is a Pity that two very good Lieutenants should leave the Ship and the Service on that Account. I hope others may be found to fill their Places. "It is an opinion that I was Landais' chief Patron." This is a mistaken Opiniqu. You discover yourself on this Occasion, as you are disposd to do at all Times, partial in my Favor. If I was in any Degree instrumental in the Promotion of Landais, it was because I really thought him a considerable Acquisition and that he would be eminently useful to our Navy. And I am apt to believe it would have been thought a judicious Appointment, if there had not been a fanciful Predilection in favor of another. Even the Name of the Ship may have given Disgust to some Men.⁸ I hope when Manly is provided with such a Ship as will please him, the Difficulties or Obstructions in the Way of getting the *Alliance* manned will be removed. I am sure your Exertions will not be wanting to forward the Service.

July 29. Yesterday I sent you a fresh News paper by the Post which I intended as an Apology for not writing to you. I kept this Letter open, knowing that Mr. Dod the Express was to set off soon, and designing to say a few things in Addition to what I just hinted to you in my last. But I must defer it till another opportunity. I shall be obligd to you if you will give my Respects to Mr. Story⁹ and tell him that his Petition with a

⁴ Concerning Manley and McNeil, see the *Journals*, July 28, 29, Aug. 5, and nos. 496, 518, 532, 614, *post*; also Allen, *Naval History of the Revolution*, I. 216; Paullin, *Out-Letters of the Marine Committee*, I. 164, 170, 243, 252, 271, 280.

⁵ See no. 421, *ante*.

⁶ Capt. Joseph Olney. See Paullin, *Out-Letters*, I. 170, 273.

⁷ Capt. William Bourke. See *ibid.*, I. 233, 241, 251, and no. 316, note 5, *ante*.

⁸ See the *Journals*, May 9, 29, June 19. The last sentence is an allusion to the name *Alliance*, given to the frigate to which Captain Landais was assigned. See no. 316, *ante*; also Adams to Warren, Sept. 12, in *Writings* (ed. Cushing), IV. 58.

⁹ William Storey, clerk of the navy board. See the *Journals*, July 31, Aug. 4.

Number of others was put into the Hands of Mr. Lovel when Mr. H.¹⁰ left this City. We will take the first opp'ty to present it, and endeavor to get his Wishes answerd.

441. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO WILLIAM HEATH.¹

29th [30th] July [1778.]

Sir

Since my last of the 9th Instant I have been honor'd with your several favors of the 6th, 8th and 9th which I duly presented to Congress² the first was committed to the Board of Treasury, where I believe proper attention has been given to the demand for Money. That of the 8th was committed to the Honble Mr. Sherman and others from whom you will by the present Messenger receive a Letter respecting John Brown's case to which I beg leave to refer you.³

You will see by the inclosed Act of the 15th July that Congress had no intention of interposing authority in his favor, and had I had any other subject for a Letter, the application to which he is indebted for the present respite would have come too late.

Congress are disposed to hear every thing that can be offered on his behalf, and therefore the intended effect of this Act is suspended.

Your last quoted Letter is committed to the Board of War and remains unreported. I have nothing new except the inclosed *Advertiser* of this date.⁴

442. ROGER SHERMAN TO JONATHAN TRUMBULL, JR.¹

PHILADELPHIA July 30th 1778.

Dear Sir

I received your letter of the 25th Instant directed to the Connecticut Delegates. I heartily condole with you on the news of the death of your Brother.² Congress have accepted your resignation.

I should with great pleasure have recommended Mr. Pierce to have filled the vacancy had it not appeared by your Letter to Congress that by the junction of the two armies the office was become unnecessary. but I did mention him in Congress as a person well qualified for such an appointment, and whose continuance (for some time at least) might be necessary to close the accounts, he being perfectly acquainted with the

¹⁰ Hancock.

[441]¹ Library of Congress, President's Letter-Book, II. 35; Mass. Hist. Soc., Heath Papers, X. 153 (dated July 30).

² These letters were all read in Congress July 20.

³ The letter of Sherman, Marchant, and Drayton, July 22, asking for a copy of the proceedings in Brown's case, is in Mass. Hist. Soc., Heath Papers, X. 129. See no. 365, *ante*, and the *Journals*, July 15, 20, Oct. 22, Nov. 28, Dec. 2.

⁴ Presumably the *Pennsylvania Packet*, which was often called by its secondary title, the *General Advertiser*. The issue was doubtless that of July 30.

[442]¹ Conn. Hist. Soc., Papers of Jonathan Trumbull, jr. Addressed: "To Jonathan Trumbull Junr. Esqr White Plains pr. favr. of Mr. Pierce."

² Joseph Trumbull, sometime commissary-general of purchases, died July 23.

business. It was supposed that if the money was delivered over to Col. Palfray he could do what was necessary without any special appointment by Congress.³

A Treasurer of loans has lately been appointed, whose business is to sign loan office Certificates and Bills of Exchange, and send them to the loan officers in the Several States; and, to receive all Bills of Credit called in to be Sunk, etc. with a Salary of 2000 dollars pr. annum.⁴ I nominated you for that office but your Friends in general were of opinion that you would be wanted for a more important one that of a Commissioner of the Treasury Board. there is a report for putting that Board into Commission and if it shall be accepted as have no doubt but that it will, either three or five persons will be necessary for that business. I suppose the Salary will be the Same as the Commissioners of the Board of War, which is 2500 dollars pr. annum. I wish to know if such an appointment would be acceptable to you. that I suppose will be a permanent office.⁵ We have no later accounts from Europe than you have had in the public papers, the operations of war you have earlier intelligence of than we.

Our public affairs at present seem to be in a favourable Situation, except that of the currency which demands immediate attention and I think measures may be devised to put it on a better footing.

I think our enemies can have but little prospect of Success in Subduing us, and I believe they wish for peace on almost any terms. The conduct of the British Commissioners, especially of Govr. Johnston has been Scandalously mean in endeavouring to Bribe Members of Congress, though I know of no instances but those published in the news papers.⁶ I hope and believe that by the Interposition of Divine Providence in our favour, all their counsels against us will be turned into foolishness.

I am with Esteem and Regard Your humble Servant

ROGER SHERMAN.

Jonathan Trumbull Jun. Esqr.

443. HENRY LAURENS TO GEORGE WASHINGTON.¹

31st July [1778.]

I am this minute favor'd with Your Excellency's very obliging Letter of the 24th.²

The British Commissioners, for, in the Act of one, there is a good ground for charging the whole, having by various means attempted to bribe Congress and thereby offer'd the highest possible affront to the

³ See the *Journals*, July 29. John Pierce, jr., assistant paymaster, was made deputy paymaster-general June 7, 1779, and paymaster-general Jan. 17, 1781.

⁴ See the *Journals*, July 15, 27.

⁵ See the *Journals*, July 30, Aug. 12, 13, 22, 24, Sept. 5, 8, 10, 15, 17, 26, Oct. 13, 29, 31, Nov. 2, 3, 13, 16, Dec. 15.

⁶ Cf. nos. 422, 429, *ante*, and no. 443, *post*.

[443]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 236.

² Washington's letter to Laurens July 24, largely concerning the demands of the two La Neuvelles and Baron Steuben, is in *Writings* (ed. Ford), VII. 119. Cf. his letter to Gouverneur Morris, same date, *ibid.*, p. 116. The letters are also in *Writings* (ed. Sparks), VI. 16 and 13, respectively. See nos. 445, 477, 527, *post*. Cf. nos. 265, 266, 284, 285, *ante*.

Representatives of a virtuous, Independent People, are in my humble opinion rendered wholly unworthy of the further regard of Congress in their Ambassadorial character.

Viewing them in this light I have been from the first reading of their last Address under that kind of anxiety which had possessed my Mind when there was some cause for apprehending that General Burgoyne and his Troops would have Slipt thro' our fingers into New York or Philadelphia, an anxiety to which I am a stranger, except in such momentous Concerns.

I have for several days past urged my friends to move Congress for a Resolve that they will hold no conference with *such Men* assigning reasons in ample, decent terms, to transmit the act by a flag to the Commissioners, and make them the bearers of their own indictment; they will not dare to withhold the Resolve of Congress from their Court. Thence it will soon descend to the Public at large, and expose themselves and their Prompters to the just resentment of a deluded and much injured Nation, whose deplorable circumstances I must confess deeply affects my heart. These Commissioners will be also held up in scorn at every Court in Europe, and finally be transmitted to Posterity in Characters which will mark their Memory with Infamy.³

On Thursday the sixth of August Congress will receive Monsr. Girard in his public character. Your Excellency will find within, copies of the intended Address of the Minister and answer of the Representatives of the thirteen United States of America. Speaking as a Citizen I cannot forbear disclosing to you Sir, that there is a reluctance in my mind to acknowledgements of obligation or of generosity where benefits have been, to say the least, reciprocal.⁴

444. ELIAS BOUDINOT, REMINISCENCES.¹

[July 31? 1778.]

When I found every application to obtain hard money from Congress for the Cloathing of our Prisoners in vain, I waited on Genl Washington, and proposed my resignation, as my Character was at stake, having (on the promise of the Secret Committee to yield me every necessary aid) pledged myself to the officers in Confinement that they should be regularly supplied with every necessary, but they now suffered more than ever. In much distress and with Tears in his Eyes, he assured me that if he was deserted by the Gentr of the Country, he should despair. He could not do everything—He was Genl. Quarter Master and Commissary. Every thing fell on him and he was unequal to the task. He gave me the most positive Engagement that if I would contrive any mode for their Support and Comfort he would confirm it as far as was in his Power—On this I told him, I knew of but one way and that was to borrow Money on my own

³ Cf. nos. 420-422, *ante*, 460, 462, *post*. See the *Journals*, Aug. 11, 12; cf. *ibid.*, Aug. 31.

⁴ Cf. nos. 411, 422, 424, 438, *ante*, and no. 449, *post*.

[444]¹ MS. Journal, John Carter Brown Library; *Journal*, etc. (ed. Bourquin), p. 68; Boudinot, *Life of Elias Boudinot*, I. 158.

private Security. He assured me that in Case I did, and was not reimbursed by Congress, he would go an equal share with me in the loss. I then formed the plan of obliging Genl. Burgoyne to pay hard money for the support of the british Prisoners whom we supplied with daily rations, and in the meantime proceeded to borrow money or take Goods in New York on my own Credit. Thus I furnished 300 officers with a handsome suit of Cloaths each, and 1100 Men with a plain suit, Found them Blanketts, Shirts etc. and added to their provisions found by the British a full half ration of Bread and Beef pr. day for upwards of 15 Months. Part of this I supplied by sending wheat and flour to New York, and selling them for hard money, under leave from Genl Robertson. Some time in the beginning of the year 1778, Congress recd from Genl Burgoyne nearly 40,000 Dollars in hard money. In the beginning of 1778 I was chosen a Member of Congress, but continued in the Army till June, when Genl. Washington knowing that I was near thirty Thousand Dollars in advance for the Prisoners, urged me to go and take my Seat in Congress, where I might get some of the hard money recd from Genl Burgoyne before it was all expended, for if it was once gone, I should be totally ruined. I accordingly left the Army and joined Congress on their return from York Town in Pennsylvania, after the British had evacuated the City of Philadelphia.² I applied to the Chamber of Accts. and with great difficulty got my Accts settled. A very large Ballance was found in my favour, and a warrant ordered for 15000 Dols Continental and a report made that I had actually advanced the Cash, and there was upwards of ten thousand Pounds [word illegible] hard money that I yet owed. I urged the appointment of a Committee of Congress to an examination of the expenditures and to report upon them. Richard Henry Lee and Wm. Duer were accordingly appointed and after a full Examination reported the Sum of Twenty Six Thousand Six hundred and Sixty Six Dollars and $\frac{2}{3}$ ds in Specie, for which they recommended a warrant to be immediately issued. On Considering this report Mr. Dana from Massachusetts and Mr. Merchant from Rhode Island opposed the report of the Committee with great violence, insisting that as Mr. Boudinot had taken up this money at the instance of Genl Washington without the approbation of Congress, he had no right to be paid but in Continental money as other Creditors of Congress. After much altercation I got up and informed the House that I had borrowed this money on my private Credit, in the City of New York. That I should never ask the House for the payment of it again. That I should on my return Home, sell what property I had and pay as far as that would go, and then publish to the world why I was insolvent for the Balance—But I also informed the House that even to that moment our prisoners in New York were fed and cloathed on my private Credit. That I would immediately send orders to stop further issues to them on my Acct. in 10 days, and desired provision might be made for these unhappy People after the expiration of that time. On which they went to other business, without doing anything on the Report.

² Boudinot took his seat in Congress July 7. Cf. *Life of Boudinot*, I, 158.

I sent orders to my Agent in New York, and all further Issues were stopped accordingly.

The latter End of July, I recd. a very affecting Letter from my Agent painting the distresses of the Prisoners in so striking a manner, and the death of several more than had been usual, that I could not longer persist in my determination of silence on the Subject. Having recd this Letter in Congress, I rose with tears in my Eyes, and reminding them of my former promise begged leave to break thro' it, so far as to read the Letter which I did. On this, Mr. Duer (a Man of much feeling) rose and in a speech of more than half an hour declaimed so severely agt the ungrateful Conduct of the House, that a unanimous Vote immediately passed for a Warrant in my favour [for] £10,000 in specie, which was immediately sent to New York.³

445. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

PHILADELPHIA 2 Augt. 1778.

Dear General,

. . . . I feel the full Force of your Reasoning. The Faith of Congress is in some Measure plighted to Mr. De la Neuville but it is not their Interest that his Brevet shall give Command. I will take Care to get this expressed by a particular Resolution. The Baron has a Claim from his Merit to be noticed but I never will consent to grant what I am told he requests and I think Congress will not. At least they wont if I can help it.²

446. HENRY MARCHANT TO THE GOVERNOR OF RHODE ISLAND
(WILLIAM GREENE).¹

PHILADELPHIA August 3d 1778

Sir,

finding that all Persons who had the Disposal of Continental Lottery Tickets in the several States were required, by a certain Day to make Return of all Tickets they had on hand and unsold to a Magistrate, to be by him sealed up and forwarded to the Contl. Treasury Board, and finding no such Returns from Our State, I am affraid the Resolution has not been properly attended to, and that Damage may arrise thereby to some Gentlemen of Our State. I take the Liberty to enclose to Your Excellency Copies of those Resolutions, which relate to that Subject, and beg Your Excellency to make some Enquiry into the Matter, that if there has been any Neglect it may be mended as much as possible.²

³ See the *Journals*, July 30, 31; cf. *ibid.*, Apr. 10. No record is found in the *Journals* of the appointment of the committee (Lee and Duer) mentioned by Boudinot, nor of a report made by it.

[445]¹ Library of Congress, Letters to Washington, XXV. 116; Sparks, *Life of Gouverneur Morris*, I. 174.

² Morris is replying to a letter from Washington July 24, relating in part to La Neuville and Baron Steuben. Washington's letter to Laurens the same day (see no. 443, note 2, *ante*) discussed the cases of the two La Neuvilles and Steuben more at length. See nos. 477, 527, *post*.

[446]¹ R. I. Arch., Letters to the Governors, 1778, p. 123; Staples, *R. I. in Cont. Cong.*, p. 192.

² See the *Journals*, Jan. 6, May 2, June 3, 4. Cf. *ibid.*, Dec. 18. Governor Greene's reply to this letter, Aug. 20, is in Staples, *R. I. in Cont. Cong.*, p. 196.

447. JOSIAH BARTLETT TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

PHILADELPHIA August 4th. 1778.

Hon'd Sir,

Your favor of the 18th July is just Rec'd and must beg leave to Refer you to a letter I wrote (previous to the Receipt of yours) to Colo. Nicholas Gilman Giving him an account of what is Done in Consequence of the application for money for the use of our State. Money Cannot be sent from this place at present nor will it be easy to procure an order for money till the Difficulties I mention in my letter to him is Cleared up by Letters from our State as is therein mentioned, afterwards Drafts on the Loan Office or on our own Treasury as part of the money to be raised for Continental use as has been Done on the Treasurer of Connecticut and Massachusetts Bay if such Drafts would answer please to inform me.²

448. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

5th August [1778.]

Dear Sir

. . . . Nothing has been done in the arrangement since the return of Congress to Philada. and it appears to me that nothing will be done while the Army continues migrative. I am very sensible Your Excellency will in the meantime have experienced much inconvenience and trouble from the demands of our local Continental Officers for Commissions. The terms in which our Carolinian Regiments were originally established, as far as I know, are singular, and entitle the officers to claim all the benefits which were held up to them; and I am persuaded Congress will not contend the point when fully and clearly explained, but every attempt to this end has been over rul'd by the repeated reply "we cannot interfere in or consider these matters until the Army Arrangement is finished" from this consideration, and from that of the peculiar circumstances of the troops in our State, I am also persuaded that Congress will not censure the Executive, should they advise Your Excellency to grant so many Commissions as shall appear to be absolutely necessary. I am further confirmed in this opinion from the silence of the house when they were informed that Your Excellency had granted from necessity a few Commissions subsequent to the Act of the 31st Decr. And therefore I shall inclose with this 20 signed Commissions, submitting these and my private Sentiments to your Excellency's final determination referring at the same time to the Act above mention'd compared with the circumstances of our Regiments.²

[447]¹ Mass. Hist. Soc., C 81 A 38; Library of Congress, Force Trans., Weare, p. 134.

² Cf. no. 423, *ante*, and no. 507, *post*.

[448]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 241.

² The same or a similar problem was brought before Congress through a letter of President Lowndes Aug. 31, read in Congress Sept. 29 and referred to a committee, whose report was taken into consideration Nov. 17.

I am much affected by the relation of my fellow Citizens conduct in opposition to Your Excellency's Proclamation of the 13th of June. the Act of Congress upon which that Proclamation was founded was well intended, but it passed after much contention and proves to be the most displeasing to the States in general of any determination of Congress within my experience. There is a distinction made by Tories between moral private honor and Political honor in the practice of which Men of the first Character have been detected and driven to a necessity for explaining in order to preserve some Character which has rendered every Man coming within the description suspicious in the highest degree. It would be tedious and probably unnecessary at this date to adduce particular proofs in the conduct of General Sir William Howe, Sir H. Clinton, Sir Wm. Johnstone,³ Governor Franklin and twenty etcetera. Nevertheless nobody here thinks your Excellency was faulty in pursuing the Recommendation of Congress in terms of the Proclamation and by advice of Privy Council.⁴

I was well aware the embargo would press heavily on our State, and upon that occasion I desired to deliver my sentiments to Congress from the Chair. Your Excellency may rest assured I shall watch the earliest opportunity for recommending to Congress a revocation of the Act. In the mean time it may merit our attention Whether other states pay that implicit obedience to *such* an Act of Congress as we do in South Carolina and our future submission with or without Remonstrance may be warranted by the discoveries which shall be made.⁵

The General Gazette of the 4th Augt. will shew Your Excellency what respect has been paid to the Resolve of Congress by this State. I am determined to introduce Vice President Bryan's Proclamation into the house; Your Excellency shall be duly and as speedily as possible inform'd of the reception which my application shall meet with. My Countrymen will Act accordingly. I must do them the justice to say, they have hitherto acted with as much uprightness and fidelity in the common cause of the Union as any State of the thirteen. I will say nothing that shall appear to be invidious, altho' I have feelings against the expressing of which I can scarcely resist.⁶

Part of Your Excellencys Letter from the words "*I am extremely happy*" to the words "*I mean to the Public*" I presented to Congress: 'twas extremely approv'd of and committed, instead of saying to the grave, I will only intimate that no Report has been made thereon.⁷

³ Presumably Governor George Johnstone is meant.

⁴ The act of Congress to which Laurens alludes was that of Apr. 23 relative to offering pardons to subjects of the several states who had aided or abetted the enemy. The South Carolina episode concerning which Lowndes had evidently been writing to Laurens is related by McCrady, *South Carolina in the Revolution, 1775-1780*, pp. 266-274, 305-308. McCrady refers to two letters from Gadsden to Drayton, June 15 and Oct. 5, in a volume of Gadsden MSS. See also a letter of Howe, Aug. 28, 1777, and one of Gadsden, Sept. 9, 1778, in *Hist. Magazine*, IV. 265-266.

⁵ See the *Journals*, June 4, 8, Aug. 19, Sept. 2, Oct. 2.

⁶ Bryan's proclamation appeared in the *Pennsylvania Packet* of Aug. 4, and is found in *Pa. Col. Recs.*, XI. 545. See also *ibid.*, p. 546.

⁷ See the *Journals*, July 11.

A discovery having been made of frauds in the Accounts of the Deputy Commissary General of Military Stores, he was arrested and committed to Goal; there he made some confessions and charg'd the Commissary General, hitherto a Gentleman of very fair character, as a tempter and accomplice. Congress had directed the Board of War to arrest and safely keep him also. the Board proceeded not with proper vigor and wrote such a letter to the house as is deem'd a disobedience of Orders and an high insult. The adjusting this troublesome affair will much retard business of the greatest importance—it has already cost us two days, stagnated correspondence with the Board, and is not ended.⁸

P. S.

. . . . Mr. Drayton two days ago told me a Story which almost surpris'd me, that General Gadsden has again endeavour'd to injure me, by a groundless charge or insinuation, that I had presented the Letter intimating the resignation of his Commission, either improperly in the manner, or at an improper time. all his suspicions have been equally unjust, but it has not always been in my power to prove it, as I shall do in the present case. His resignation was tendered to Congress the 2nd of October by Mr. Hancock. I was order'd in the Chair the 1st of November. It is true I said nothing upon the occasion; neither did any Member in the house, except those who said, "accept it, accept it". I was not one of them. I should have been very cautious had it been put to a vote, even of giving my voice against it. 'Tis probable I should have with drawn upon such an occasion—the risk of offending would have been equal on either side. When Mr. Gadsden was in the service I now am in, he knows I endeavoured to assist and serve him and God knows I never attempted to under value or depreciate him if he had had any foundation for censuring me, he should have communicated his complaints directly to myself or have reserv'd them to be communicated at my return. instead of such generous procedure, he has, according to his custom, stabb'd me in conversations and private letters. It was by mere accident I learn'd his discourteous, injurious, attempts, from Mr. Drayton, and this, as I said above, but two days ago. I wish you would read every word of this to General Gadsden; it will keep up a consistency in all my conduct towards that Gentleman.⁹

449. SAMUEL HOLTEN, DIARY.¹

[August 5, 6, 1778.]

5. Congress sat from 9 till almost 3 and from 5 till almost 10 o'Clock. I am much indisposed.

6. Monsieur Gerard, Minister Plenipotentiary from his most Christian Majesty, had a public audience with Congress and dined with them; the

⁸ The commissary-general of military stores was Benjamin Flowers; his deputy was Cornelius Sweers. The history of their cases can be traced by means of the index to the *Journals*. Cf. nos. 455, 457, *post*.

⁹ See Wallace, *Life of Laurens*, pp. 299-302.

[449]¹ *Essex Inst. Hist. Colls.*, LV. 168.

proceedings were conducted with great decorum. The entertainment was grand and elegant, the band of musick was very agreeable.²

450. A COMMITTEE OF CONGRESS TO THE PENNSYLVANIA COUNCIL.¹

Messrs. Richard H. Lee and Samuel Adams, a Committee of Congress, present their respectfull Comp'ts to the Hon. the Vice President and Council of the State of Pennsylvania, and beg the favor of them to order a sufficient number of Peace Officers to prevent any Interruption of the Minister of France, in his Passage to and from the Congress Chamber, this day.²

Aug. 6th, 1778.

451. SAMUEL HOLTEN, DIARY.¹

[August 7, 1778.]

7. Monsieur Gerard made a visit, in the edge of the evening (about an hour) to the Delegates of the Mass. Bay agreeable to the public ceremonies agreed on by Congress for a Minister Plenipotentiary, my Colleagues being absent upon his first coming in, I had the honor of his company alone.

² For the ceremony and the steps preparatory thereto see the *Journals*, July 11, 14, 16-20, 25, 28-31, Aug. 5, 6. Cf. nos. 411, 422, 424, 438, *ante*, 450, 453, 455, 459, 460, *post*. The proceedings of Aug. 6 appertaining to the reception were ordered printed Aug. 8, and appeared in the *Pennsylvania Packet* of Aug. 11, accompanied by a general description of the ceremonies. The items also appeared in the *Royal Gazette* of Aug. 26. The whole may be found in Almon's *Remembrancer*, 1778-1779, pp. 5-8, in the *Annual Register*, 1778, and in Hazard, *Register of Pennsylvania*, IV. 102. The account closes with this paragraph: "The audience being over, the Congress and the Minister at a proper hour, repaired to an entertainment by Congress given to the Minister; at which were present by invitation several foreigners of distinction, and gentlemen of public character. The entertainment was conducted with a decorum suited to the occasion; and gave the most perfect satisfaction to the whole company." A French account, together with a "Plan de la Séance du Congrès", transmitted by Gérard to Vergennes, is in Arch. Aff. Etr., E. U. 4: 62, 64, and may be found in Doniol, III. 311-313. The dinner following the reception is thus described:

"Le Congrès donna ce jour là un grand repas au ministre plenipotentiaire à la taverne de la Cité. L'État de Pensylvanie y assista. Le ministre plenipotentiaire fut placé par le comité du repas a la droite du président et le chef de l'État à sa gauche.

"Les 21 toasts furent but au bruit du canon. On but à la santé du roi, de la reine, du roi d'Espagne, a la perpétuité de l'Union entre la France et l'Amérique, au succès des armes combinées", etc.

Aug. 19 Congress resolved that there was due Gifford Dally for providing this entertainment the sum of 1424 dollars. See also the *Journals*, Jan. 20, Mar. 9, Aug. 20, 1779.

[450]¹ *Pa. Arch.* first ser., VI. 677; Henkels, *Catalogue*, no. 683, item 363.

² Lee and Adams (with Gouverneur Morris) were a committee (appointed July 14) to report on the time and manner of the reception to Gérard. In *Pa. Col. Recs.*, XI. 548, is a minute of the council accepting the invitation of Congress, extended through Robert Morris and Daniel Roberdeau, to attend the reception. See the *Journals*, Aug. 5; also no. 449, *ante*.

[451]¹ *Essex Inst. Hist. Colls.*, LV. 168.

452. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO BENEDICT ARNOLD.¹

7th August [1778.]

Sir

Congress are much interrupted in the course of business in their Sessions at the State House by the beating of Drums and noise of the Soldiers at the Guard House. Will you be so obliging as to give the necessary orders for preventing in future the inconvenience complained of.

453. ELIAS BOUDINOT TO MRS. BOUDINOT.¹

[August 8, 1778.]²

. . . . We gave the Sieur Gerard his public audience The Ceremony as follows: Our President was seated in a Mahogany armed chair on a platform raised about two feet, with a large table covered with green cloth and the secretary along side of him. The Members were all seated round within the Bar and a large armed chair in the middle opposite the President for the Plenipo. At Twelve Oc. our State Coach and Six waited on the Minister at his quarters. He was preceded by his own Chariot and two with his Secretaries. The Minister was attended by two Members who introduced him thro' the crowd and seated him in the chair; He then sent to the President (by his Secretary) the Letters from the King of France to Congress, which was opened and read aloud first in French and then in English. It was then announced to the house by the waiting Member, that the stranger introduced was the Minister Plenipotentiary from His most Christian Majesty, upon which the Minister arose and bowed to the President and then to the House and the House rising returned the Compliment. The Minister then addressed the Congress and was answered by the President, on which, the bowing again took place and the whole concluded. A public Dinner succeeded at which was a band of musick and the firing of Cannon. The whole was plain, grand and decent. The Minister was much pleased as well as the Audience. . . .

454. SAMUEL HOLTEN, DIARY.¹

[August 8, 1778.]

8. At 5 o'Clock P. M. met a joint Com't of Congress and the Executive Council of this State in search after British property in this City.²

[452]¹ Library of Congress, President's Letter-Book, II. 40 (addressed to Arnold at Headquarters, Philadelphia).

[453]¹ Boudinot, *Life of Elias Boudinot*, I. 161 (extract).

² The biographer of Boudinot states that the letter bore date of Aug. 8, but that the extract here printed was added Aug. 13. See no. 449, note 2, *ante*.

[454]¹ *Essex Inst. Hist. Colls.*, LV. 169.

² See the *Journals*, July 23, 31, Aug. 14, 29 (letter of Wilcocks), Sept. 9, 11, 26, Oct. 22, Dec. 8, 16, 1778, Jan. 16, 19, 20, Feb. 20, Mar. 12, 1779. A report of the joint committee placed in the *Journals* under Aug. 14, taken from *Pa. Arch.*, first ser., VI. 703, is also found *ibid.*, p. 753. See also *ibid.*, pp. 724, 740, 754. One copy of this report is in the Pennsylvania State Library, PP, XLIX. 60; another (*ibid.*, f. 80) bears the following endorsement by Henry Laurens: "Comm^{ee} in Conjunction with Comm^{ee} of the Council of Pennsylvania Permitted to be given in 24 Augt. not Read." Cf. no. 526, *post*.

455. ANDREW ADAMS TO OLIVER WOLCOTT.¹

PHILADELPHIA 10th August 1778

Sir

I have the pleasure to inclose this Day's paper, to which I beg Leave to refer you for what News we have here. You will see the Minister has recd his Audience, and those eventual Ingagements containd in the Treaty of Allience, have now been declared by both parties to have become possitive. . . .

Cornelious Sweers who is now in Goal has since you left this City wrote a Letter to the president in which he confesses some part of the Charge against him: he says that he has altered some Accts. etc: that he purchased a Number of Arms and returnd them into the Stores at a greater price than he gave and that Col: Flowers was equilly concernd with him in this and every fraud he may have been guilty off in that Department: he refers to some papers which he says will tend to evince the matter. (those papers I have not seen) In Consiquence of this Col: Flowers is now under an arrest by order of Congress: How it will appear upon Examination I cant pretend to say: A Com'tee is appointed to take Sweers's Examination upon Oath in the Matter: a Measure this I dont very well approve off; for should Col: Flowers be acquitted perhaps Sweers may avail himself by having given his Deposition: this was objected but it was carried notwithstanding.²

Nothing is yet done in Regard to our Currency. The Report from the Treasury Board upon that Subject yet lies on the Table: a special Com'tee have been appointed upon the Matter of arrainging the Treasury who are ready to report: ³ the want of that Report has been assignd as a Reason for Deleying the other matter: I hope in Consience it will be soon taken up as I think every other Matter is comparatively but tithing Mint, Annis etc. until that is done: The Cloather General's Department is in a most wretched Situation: as are our Commercaill Affairs and indeed some others by the best Intelligence I can obtain: but of these things I need not inform you.

Mr. Sherman is appointed immediately to repair to the Army for the purpose (with others) of compleating the Arraingm't, this will make it necessary for Mr. Elsworth to come forward.⁴

456. RICHARD HENRY LEE TO THOMAS JEFFERSON.¹

PHILADELPHIA 10th. Augt. 1778

Dear Sir,

I agree entirely with you concerning the importance of the confederation, and have never failed to press it. Ten States have ratified. Jersey,

[455]¹ Conn. Hist. Soc., Oliver Wolcott Papers, I. 44.

² Cf. no. 448, note 8, *ante*.

³ See the *Journals*, July 30, Aug. 12, 13, and no. 442, *ante*.

⁴ See Sherman's letter to Governor Trumbull, Aug. 10, Mass. Hist. Soc., *Collections*, seventh ser., II. 247.

[456]¹ Library of Congress, Jefferson Papers, second ser., LI. 22; *Letters* (ed. Ballagh), I. 430.

Delaware, and Maryland have not, and one of them, Maryland, has adjourned until November, so that the new Congress under the Confederation cannot meet this year at the time proposed by the Confederacy.² The design against Detroit is abandoned for the present, and a force will be sent into the Indian Country to chastise their late insolence.³

457. ANDREW ADAMS TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA: 11th Augt. 1778

(Private)

Sir,

The unexpected Death of the late amiable and I thing [*sic*] much injured Commissary Genl.² (on which I do most sincerely condole your Excellency) renders it at present impracticable to have any thing done on the subject of his Accounts; tis my Opinion something would have been done notwithstanding a late Resolution of Congress:³ some Gentlemen I know felt that Matter most sensibly: and I beleave Congress themselves (that is a Majority) would have been willing to reconsider that Matter:

I see no prospect of haveing any thing done in favr of Col: Derricks.⁴ Mr Hancock on whom he seam'd to have some dependance left Congress soon after my Arival. I had therefore no Oppertunity of consulting him upon the subject, but the Objections appear to me at present unsurmountable tis said he went voluntarily out of the Line into the Staff; that the Conduct of that Department was such as not only to Occation great uneasiness but even endanger the Existance of the Army, in Consiquence of which a Court of Inquiry has been ordered by Congress: and tho no particular Objection is made to him, yet if the Inquiry extends not only to Genl. Miflin but to the whole Department, it would be altogather improper to advance any Gentleman from thence while the Inquiry is pending. besides we have at present many supernumerary Officers in the Line, and a Com'tee of Arraingment appointed to reduce the Number so that it becomes impossible to introduce any new officers without turning out some of our own against whom there is not the least Objection: I am very sorry for the particular Situation of Col: Derrick but I know of no other Way at present for his Employ in the Army unless he can be again intro-

² See no. 424, note 4, *ante*.

³ See the *Journals*, July 25, and no. 439, *ante*.

[457]¹ Conn. State Lib., Trumbull Papers (M. H. S.), VIII. 171.

² Joseph Trumbull, who died July 23. Concerning the settlement of his accounts, see the *Journals*, Aug. 31, and no. 567, note 2, *post*.

³ Probably the resolution of May 19.

⁴ Jacob Gerhard Diriks. See the *Journals*, May 8, 18, 19, Oct. 26 (letters of Governor Trumbull and Gosuinus Erkelens), Nov. 5, Dec. 23. He bore a letter of introduction to Franklin from Governor Trumbull, dated Dec. 12, 1778 (Am. Phil. Soc., Franklin Papers, XII. 191), and he appears to have been a friend of C. G. F. Dumas and to have taken some steps toward negotiating the loan proposed by Dumas (see Dumas to Franklin, June 29, 1779, *ibid.*, XXXIX. 113). Cf. the letter of Baron Van der Capellen to Governor Livingston, July 16, 1779, in Mass. Hist. Soc., *Collections*, seventh ser., II. 468.

duced into the Staff By an Application to Genl. Green who is at the head of the Quartermaster Department. The Commissary Genl. of Military Stores and his first Deputy ⁵ are now under an Arrest by Order of Congress for fraud and Mal Conduct in the Execution of that Office: The Deputy has confest a part of the Charge and accuses Colo. Flowers the Comis'y Genl. of being concerned with him: The Clotheir Genls. Department is in a most wretched Situation, as is also some other Branches of our Affairs: many things are conducted very different from what I could wish, which it is improper to mention in a Letter. The Deplorable Situation of our Currency I have expected would come under Consideration ever since I have been here, but as yet Nothing has been done: I think every Regulation vain so long as that is neglected. there is a prospect of its being taken up soon, but I hardly know what to depend upon as to the Course of Business.⁶

We have no News more than what is contain'd in the papers or comes from the Eastward.

I am with highest Esteem

your Excellencys most Obedt. and very hum'e Servt

AND'W ADAMS.

His Excellency Govr. Trumbull

458. TITUS HOSMER TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA, August 11, 1778.

Sir,

. . . . The removal of Congress from Yorktown and the reception of the French minister have engrossed a great part of our time, the remainder has been spent principally in the common routine of business which arises daily, and tho' very necessary to be done, could not deserve your Excellency's attention in the recital. . . . Congress are very industrious, yet many affairs of great importance are crouded out and postponed by an inevitable attention to events and business constantly arising; and although I have nothing of consequence to inform you of which they have done, I have many things I can mention which they have not done. They have not taken into consideration the state of our paper currency, nor divided any means to stop the headlong current of depreciation. They have not settled their accounts with the army, the Commissary General, the Quartermaster General, the Clothier General, the Commercial Committee, or any other large department.

They have not settled any mode by and in which they can call their great servants authoritatively to account for the expenditure of public monies. They have not constituted and empowered a Board of Treasury nor a Marine Board, though each seems to be generally allowed to be necessary to release the attendance of members of Congress, and give them leisure

⁵ Benjamin Flowers and Cornelius Sweers, respectively. See the *Journals*, June 20, 26, 27, July 17, 27, Aug. 1-8, 10, 14, 18, 22, 24, 26, Sept. 1; also no. 448, note 8, *ante*.

⁶ Cf. nos. 458, 470, *post*.

[458]¹ Mass. Hist. Soc., *Collections*, seventh ser., II. 248.

to attend to more general and necessary business, which can be done only in Congress or by its members. All these matters are in prospect, and are to be attended to as soon and as fast as other business will admit, yet I fear much time will elapse before they are brought to a conclusion.² . . .

459. HENRY MARCHANT TO THE RHODE ISLAND ASSEMBLY.¹

PHILADELPHIA, August 11th, 1778.

Gent

Last Thursday, Congress gave publick Audience to Monsr Gerard, the Minister Plenipotentiary of France. It was an Important Day. An Important Transaction; and I hope replete with lasting Advantages to the United States in General, and much so to the State of Rhode Island in particular. By this Day, perhaps at this Moment, We are reaping the Blessings arising from a Treaty with so powerful an ally. I think the Connection brought about by the Hand of Heaven, and that therefor, it promises to be as lasting as it is mutually beneficial, generous, and noble. The particulars of the Proceedings of the Day Your Honors will have in the envelopd News Papers.

Congress have at length come to a Resolution upon a Report of their Committee, that the Expense of the Expedition agt. Rhode Island last Fall shall be born by the United States. The Report was recd and agreed to without argument, and without the least Division. Nothing could ever have stood such a Question, but for a Letter from Genl. Heath, wrote I conceive, in Consequence of some Dispute he had had with Gen. Spencer, In which Letter he is pleased to say *he* never knew how the Expedition came to be formed, nor from whence it originated. I have the honor to enclose, your Honor, the report and the resolution of Congress.² . . .

460. SAMUEL ADAMS TO PETER THACHER.¹

PHILAD. Augt. 11—78

*My dear Sir*²

. . . By the late Publications, you have seen, and doubtless have made your own Comments on the epistolary Correspondence between the British Commissioners and Congress. The short Resolution on their last Letter has put an End to it. Last Week the Minister from France had an Audience in Congress. The Manner of conducting this Ceremony, together with a Letter from his most Christian Majesty and the Speeches of the Minister and the President are publishd in the inclosd News Paper. I have had several opportunitys of seeing him at his own House, and a

² Cf. no. 457, *ante*.

[459]¹ R. I. Arch., Letters to the Governors, 1778-1779, p. 124; Staples, *R. I. in Cont. Cong.*, p. 193.

² The documents were not, however, enclosed with this letter, but with one of Aug. 17 (*ibid.*, p. 195). See the *Journals*, Aug. 7. Cf. nos. 11, 33, 120, 160, *ante*.

[460]¹ N. Y. Pub. Lib., Samuel Adams Papers; *Writings* (ed. Cushing), IV. 50.

² Rev. Peter Thacher, to whom this letter was addressed, was a clergyman of Malden, Mass. A memoir of him is found in *Mass. Hist. Soc., Collections*, first ser., VIII. 277-284.

few days ago he made a Visit to the Delegates of the Massachusetts who live together. He is easy and polite in his Manners and converses freely without much Ceremony.³

Under an Apprehension that our connection with France might lead us to partake in her wars, which might be grounded on Views of Ambition and Conquest, I took occasion to hint to him that the sole object of America was independence. He frankly said that whenever Great Britain should acknowledge our Independence, there would be an End of Dispute between her and us, and it would not be the Inclination as it was not the Interest of France to continue the War.⁴

Nothing can equal the barefaced Falsehood of the Quakers and Tories in this City, unless perhaps their Folly, in giving out that M. Gerard does not come in the Character of a publick Minister, but only to obtain Pay for the Stores we have received from that Country. . . .

461. SAMUEL CHASE TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

PHILADA. Augst. 11. 1778.

Dear Sir.

Your Letter to Congress was delivered and is referred to the Marine Committee.² It will be difficult and a Work of Time to procure the different Resolves of Congress relative to Captures. I have seen only one of the Marine Board. the only pretence he knows of is, that Capt Hawker says he struck to the United States. As to the Jurisdiction, it unquestionably belongs to our Court of admiralty.³ . . . For news I beg Leave to refer you to my Letter of yes[ter]day to Colo. Lloyd.⁴ . . .

462. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

11th August [1778.]

. . . . In my last Letter I suggested some apprehensions of receiving shortly a ratification of the Convention of Saratoga. Last night a paper pretended to be a Ratification signed by four of the British Commissioners

³ See no. 449, note 2, *ante*. Cf. nos. 409, 410, 421, *ante*.

⁴ This paragraph stands erased in the draft, and is not printed in Adams's *Writings*.

[461]¹ Md. Hist. Soc., Red Book, X. 59; *Arch. of Md.*, XXI. 181.

² A letter of Aug. 5 from Governor Johnson was referred to the marine committee Aug. 10. That letter, which concerns the sale of the sloop *Molly*, and letters of the same date on the same subject to the delegates and to Capt. Daniel Deshon, are in *Arch. of Md.*, XXI. 176, 177. See also *ibid.*, pp. 82, 84, 93, 94, 96, 186, 188, 189, 260, and no. 473, *post*.

³ Chase is evidently replying here to a letter of Johnson to himself which is not found in *Arch. of Md.* It pertains to the captured British frigate *Mermaid*, Capt. James Hawker. See the *Journals*, Aug. 3, 4, 18, 26, Sept. 8, 16, 29, Nov. 9, *Arch. of Md.*, XXI. 162, 172, 176, 178, and no. 464, *post*.

⁴ The letter of Aug. 10 to Edward Lloyd, pertaining to the military situation, is in Paris, Aff. Etr., E. U. 4: 143. A facsimile is in Stevens, no. 1935.

[462]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 255. The letter-book bears the notation, "by Jones to Baltimore, there to be deliver'd Capt. Pyne".

and usher'd by a Letter of the 7th from Mr. Ferguson their Secretary was sent to me by General Maxwell. the General had received it as he writes by a Flag which had come by an indirect and prohibited road. The whole affair it is to be presumed, is calculated for insulting Congress by a retort on their late resolution that "No Answer be given to the Commissioners letter of the 11th" published by Charles Thomson, Secretary of Congress.² In this view it appears trifling with serious matters, admitting their Character to come within that description—and in what other light can it be viewed. the Commissioners knew that Congress had resolved that the embarkation of the troops of the Convention should be suspended "till a distinct and explicit Ratification of the Convention of Saratoga shall be properly notified by the Court of Great Britain to Congress".³ And those gentlemen have ground for believing that Congress will not hastily depart from important Resolutions. Possibly they may now pretend that their powers from their Court are tantamount. admitting this they ought to have been "distinct and explicit."

What the determination of Congress will be after I shall have presented this paper is uncertain. in the mean time my fears are, that the motion and Resolve which I have so anxiously wish'd will not be effected, or, not with that grace and perspicuity which would have been produced by a deliberate consideration antecedently to the receipt of this outrer [*sic*] illegitimate Remonstrance and requisition.⁴

Yesterday I again repeated to the Chief Justice, "you will by this unaccountable procrastination Slip an opportunity of doing justice and honor to your Country."⁵

Among other papers which will accompany this Your Excellency will receive Copy of the Remonstrance and the Secretary's letter; these Papers contain nothing like a distinct explicit Ratification properly notified by the Court of Great Britain to Congress, and therefore I estimate the correspondence and the mode, a calculated Insult; and were I to direct, probably it is best I should not, I wou'd immediately return the whole, accompanied by a few proper lines from Charles Thomson to Adam Ferguson. Nothing has happen'd during the present Contest so embarrassing to the Court of Great Britain as the Resolve of Congress on the suspension.⁶ A conformity with the terms will amount to an acknowledgment of our capacity to treat as a Nation. any thing below this will be to retain her claim upon us as Subjects in Rebellion, with whom faith is not to be held but for the benefit of the Sovereign, as in the exchange of Prisoners; and even in that communication there have been many attempts on the part of our Enemy to exercise arbitrary and cruel impositions.

² That is, the answer to the letter of July 11 from the British commissioners. See the *Journals*, July 18, and nos. 419-422, 424, 443, *ante*.

³ See the *Journals*, Jan. 8, 13.

⁴ The remonstrance and requisition of the British commissioners, together with a letter from Adam Ferguson, Aug. 7, were sent to Congress by General Maxwell and were read Aug. 12. The letter and remonstrance may be found in Almon's *Remembrancer*, 1778-1779, p. 13. For further action of Congress see the *Journals*, Aug. 31, Sept. 3, 4. *Cf. ibid.*, Sept. 10, Oct. 15, 16. See also no. 469, *post*.

⁵ See note 9, below.

⁶ The suspension of the embarkation of Burgoyne.

Your Excellency will recollect a recent instance which occasioned the separation of Commissioners at Germantown who had met for establishing a Cartel.⁷

If the Court shall, from necessity, find her interest in ratifying the Convention in the terms prescribed by Congress, it will then be for us to consider the Articles and to enquire whether the whole have been strictly comply'd with by the contracting powers, and thus, according to strict justice and sound Policy, which are inseparable the work will be to begin.

Admitting these Ideas to be just 'tis not to be doubted, that the Court of Great Britain perceives the dilemma to which she is reduced by a few deeply designing words of her Marionnette, Lieutenant General Burgoyne, who has acknowledged in Parliament that he penned every Syllable of his infamous Proclamation and, at the same time declared he had no intention to carry the severe threats contained in it, into execution. she must consequently view the troops of Saratoga as prisoners of War, unless she will engage in a tacit concession of our Independence, and for which, She will be in the judgement of all her European Neighbors. No wonder therefore, that in this entangled situation her Ministers are persevering in practices of ambi-dexterity, and as little that I continue anxiously wishing for the attestations of Captain Senff.⁸

I am now at the 16th. Mr. Martin has been detained by bad weather and sickness.

Your Excellency will read in the *Penna. Packet* of the 13th the declaration of Congress of the 11th. this is the Paper Mr. Drayton has kept so long in his Pocket and which I had so often solicited should be brought forward.⁹ I now regret that some previous corrections had not been apply'd to it and that the house was hurried in its passage without such amendments as at first view Your Excellency will see it stood in need of. be this as it may, it contains matters of fact, and such as it is, the Commissioners may criticize words and Phrases but the whole group will not be able to explain away our meaning, nor do I believe that even a Man of Governor Johnstone's command of features will have Art enough smoothly to laugh off his feelings whenever this Act of Abnegation shall be brought on the Carpet in his presence on either side of the Water. I put it in motion the 13th and it is probable the Governor has receiv'd his first shock this Morning. He has been severely lampoon'd in New York as will be seen in another paper to be inclosed with this. The Declaration and other unavoidable business fill'd up the Session of the 11th and barr'd the delivery of the Remonstrance and Requisition before the 12th. it was then committed to a special Committee a compliment which, in my humble opinion it did not merit. . . .

Mr. Deane late one of our Commissioners at the Court of Versailles, has already been two Mornings before Congress reporting from Notes

⁷ See no. 202, *ante*.

⁸ See nos. 287, 379, 383, *ante*, and the *Journals*, Sept. 23.

⁹ It does not appear from the *Journals* that any committee was appointed to draw the declaration of Aug. 11. Drayton was, however, a member of committees appointed on other matters connected with the conduct of the British commissioners. See, for example, the *Journals*, June 16, 17, Aug. 12.

and Memory his own transactions seperately as well as conjunctly with his Colleagues and the state of our Affairs at different periods at that and other Courts in Europe. how many Mornings more the whole Narrative will consume is extremely uncertain; hitherto he has been very little impeded by questions, when these Commence, the progress will be slow. above two hours were employed some days ago in debate upon a motion that Mr. Deane should report to Congress in writing, and the motion lost. very much loss of time I foresee will be the consequence; in this debate I clearly discovered that my fellow labourers had as absolutely taken sides as it can be supposed Gentlemen are capable of in a *pure unbiased* Assembly. Were I to say as ever Attornies had taken at a Bar I might be charged in the modern term with aberation, nevertheless I have taken the liberty to recommend the fillet and scales of Justice to one of my worthy Colleagues who appears strongly attached to one of the parties, no doubt from conviction that that side is right adding the reply which I had made to Mr. D. after he had related to me in a private conversation his state of the case. "Your Account Sir, appears to have been very candidly deliver'd, but I dare not flatter you with promises; when I shall have heard the other side I will give my voice as reason and conscience shall dictate." Mr. Deane thank'd me. I remark'd further to my Colleague that nothing short of a written and correct narrative ought to have been accepted by Congress, that if Mr. Deane had acted, which I made no doubt he had, with that accuracy and perspicuity which is the duty of a Gentleman in the Great trust of a Plenipotentiary, nothing could be easier than to render a detail in writing.

As it was incumbent on Mr. Deane to transmit from time to time to Congress advices of all his proceedings, discoveries and observations, and as I could not entertain so degrading a sentiment as a belief of the contrary would involve, very little more than a fair transcript of his letters and Journals would be necessary for satisfying the fullest enquiry. without assuming to myself any superiour knowledge I cannot help regretting that the Chair was a bar to the delivery of that opinion in public which arrived too late in friendly conversation after the question had been determined by a majority of nine of thirteen States, thirty two Members present.

Gentlemen had reasoned upon the immense labour of reducing to writing occurrences in three whole Years, that the work would procrastinate the business several months, that all that should be deliver'd in writing might in less time and with equal accuracy be related viva voce. those who had not been much accustomed to business, and who lament the waste of time in almost all our proceedings, were captivated, but the most curious objection, considering it was started by Mr Deane's friends, was, that should a narrative in writing be demanded, that Gentleman might avail himself of the advantage of representing glossing etc etc. as he pleas'd. every unbias'd Man now, after reflection sees that the mode we have adopted will extend debates and often lead disputants into warm contests, wandering from the point.

Whose memory will retain all that has been and shall be related on different days at distant times? Whose notes will quadrate with those of a friend on the other side of the question? Who will acknowledge the accuracy and precision of the memory or minutes of his opponent? Will you call on Mr. Deane to recollect what he had said and to decide? here is a field without limits for Oratory and wrangle and finally for mutual dissatisfaction.¹⁰

immediately after we had repossessed this City, General Washington in the spirit of a watchful and wise Commander in Chief, sent General Duportail with a letter to Congress recommending the immediate securing the River against insults from the Enemy, and for that purpose gave the General who is principal Engineer ample instructions. we have been here upwards of seven weeks, I have repeatedly urged Congress to hear the instructions read, yet to this moment no step is taken.¹¹ we are in danger of being routed again whenever two or three English ships of War shall be ordered up this River, and should Count d'Estaing be over power'd or block'd up at Rhode Island, Congress will again be shamefully exiled, possibly in the absence of our Army, captured and all our prisoners retaken. all these things Your Excellency and the state I have the honor of representing should know with proper reservations. there are a thousand other things you are entitled to be informed of, which time and political propriety forbid in the present moment.

Concerning the present Embargo, Congress have recommended to this State and New Jersey to take Measures for ensuring a strict observance, and for preventing infractions by evil minded Men on this extensive unguarded Coast and upon the numerous Creeks Bays and Inlets. the Commercial Committee have recommended to their Agent in Charlestown to dispatch two Vessels with Rice from that Port. I wont affront Your Excellency by intimating that this is no authority. the motive for the Order is good, to save a faithful Confederal Agent at Hispaniola from absolute ruin by paying protested Bills drawn on our Account, but who brought the unhappy Gentleman into this dilemma? I will not say a faithless Secret Committee, but I have no doubt of proving the fact when I get home. Thank God this is the 19th August and that I have strength enough to write on without dinner at 6 o'clock P. M. a report from the Committee recommending a relaxation of the Embargo in the particular case above mentioned was offer'd two days ago and remains unconsidered. break one link, the gap will be thirteen wide, maugre any and all particular considerations.¹²

20th August

. . . . Three hours of this Morning passed in debate whether Governor Franklin should be given in Exchange for Governor McKinly, the previ-

¹⁰ See the *Journals*, Aug. 13, 15, 17, 19, 21, etc. (index). Cf. no. 658, *post*. A copy of all this part of the letter which relates to Silas Deane, in the writing of Moses Young, is found separately among the Laurens Papers (vol. XXVIII., no. 43).

¹¹ The instructions to Duportail, dated June 30, are in the Washington Papers. See Washington to Arnold June 30 (*Writings*, ed. Sparks, V. 421).

¹² The report bearing date Aug. 19 is printed in the *Journals* (Library of Congress edition) under that date. See the *Journals*, June 4, 8, 10, Aug. 14, 19, Sept. 2, Oct. 2, Nov. 10; also nos. 472, 492, 511, 517, 520, 521, 534, 547, 552, 556, *post*.

ous question by aye and nay, an Oration by S. C.¹³ Esquire on the improvement of time with the life and characters of Elizabeth and Mary Qu. of Scots, the comparative beauty of black Eyes and blue Eyes—adjourned. Seldom a question upon a Million of Dollars, seldom an unquestionable demand for an hundred.

The Confederation is now signed by Delegates from ten States as Your Excellency will see in a paper inclosed. Delaware and New Jersey will probably be instructed when their respective Assemblies meet. Maryland 'tis said will not come in without she receives a *doceur* of Land. New York is not bound unless the whole confederate. the decimal is therefore equal to a *o*. . . .

The conduct of the Committee under which Mr. Dorsius acted is misterious. I can say nothing of his own, but from them we can obtain no Accounts. upwards of twelve months since Accounts of their proceedings were order'd by Congress have elapsed, about ten since Mr. Robert Morris desired to take the books into his own custody in order to settle them in a six Months leave of absence which he said he had obtained from his State, and eight Months he threatned to send them back to Congress, which they by no means forbid, yet to this hour we are without books and remain in total ignorance of the expenditure of 2½ Million of Dollars except that we know a very large sum has been shamefully squandered by a brother of Mr. Morris', supported by him after being fully informed of the infamous practices of his brother by the Commissioners at Paris.¹⁴ This, my dear Sir, is another circumstance leading the Minds of Men who have devoted their time and their fortunes to the public service into deep and melancholly reflections. . . .

463. SAMUEL HOLTEN, DIARY.¹

[August 12, 13, 1778.]

12. Went and paid a visit to Monsr. Gerard but he was not at home, left my name on a Card.²

13. The following Gentlemen dined with the Delegates of Mass'a Bay at their invitation, vizt. Monsr. Gerard, his Nephew and Secretary, The

¹³ Samuel Chase. Concerning the exchange of McKinly, see nos. 90, 180, *ante*, 662, 680, 695, *post*.

¹⁴ Concerning the affair of the books of the commercial committee, see no. 74, note 3, *ante*. Benjamin Harrison wrote to Robert Morris, June 8: "Penn gave me a hint of the evil intended you by a certain great man; but that when he came away, it only appear'd by now and then an inuendo, and a promise of what he intended to do when you were present. If he ever makes the attack, I am sure it will end in his own confusion and prove him to be, what I from a very short acquaintance suspected he was, an empty, envious, conceited ———." (N. Y. Hist. Soc., *Collections: Rev. Papers*, I. 436; Wharton, *Rev. Dipl. Corr.*, II. 607.)

[463]¹ *Essex Inst. Hist. Colls.*, LV. 169.

² The *Journals* record, Aug. 12, a letter from Gen. Thomas Nelson, and an order that the vote of thanks to him Aug. 8 be published. The letter does not appear to be among the Papers of Congress, but the resolve of Congress and Nelson's letter were printed in the *Pennsylvania Packet* of Aug. 15. The item is also found in Almon's *Remembrancer*, 1778-1779, p. 302. The *Packet* of Aug. 6 notes the appearance "yesterday" of General Nelson with a body of Virginia gentlemen elegantly mounted as volunteer light horse.

President of Congress, Hon. Silas Deane, Esqr., Hon. R. H. Lee, Esqr., Hon. Genl. Read, Genl. Putnam, Gen. Arnold, Baron Steuben and his aid. We dined at 4 o'Clock and had a grand elegant dinner and I think it was conducted with good decorum. We drank coffee before we rose from Table.

464. SAMUEL CHASE TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

PHILADA. Fryday Morning.
[August 14, 1778.]

Dear Sir,

We have this Moment a Letter from Gen. Sullivan—dated Providence Augt. 6. 1778.²

I have not been able to get further Information respecting the *Mermaid*, than the enclosed will give you. I intend to mention the matter to Congress, but I believe it would be adviseable for you to maintain the Jurisdiction of our Court of Admiralty.³

465. SAMUEL HOLTEN, DIARY.¹

[August 14, 15, 1778.]

14. Congress sit late, we dined at four. I walked out with Mr. Gerry and visited the Gentlemen from Connecticut and the Revd. Mr. Duffel, our Chaplain.

15. An express arrived in five days from New Port and informed that our army was on the Island and that 2 sail of vessels was off the harbour and Count d'Estaing's fleet had sailed in quest of them.

466. HENRY LAURENS TO JOHN SULLIVAN.¹

PHILADELPHIA Aug. 16. 1778.

Dear General,

. . . . When you can find half an hours leisure, you will much oblige me by a general or detailed account as time may permit of the proceedings of the Allied Fleet and Armies at or near Rhode Island although I must confess I have now some apprehensions that the late separation was the period of our hopes of subduing the enemy in that quarter until quite new measures shall be taken.

If you are so good as to communicate intelligence of public transactions for my private use I entreat you, sir, to mark each cover *private*. this will enable me to make acceptable offerings to my friends in the state I came from, and on my part besides the obligation which I shall feel, I will endeavour to make suitable retaliation.

[464]¹ Md. Hist. Soc., Red Book, X. 61.

² See the *Journals*, Aug. 14. Chase's letter is endorsed "13 Augt. 1778", but Friday was the 14th.

³ See no. 461, *ante*.

[465]¹ *Essex Inst. Hist. Colls.*, LV. 169.

[466]¹ Library of Congress, Force Trans., Sullivan, p. 92.

467. JOSEPH REED TO MRS. REED.¹

PHILAD. Augt. 16. 1778.
Sunday.

My dear Hetty

As I expected to have spent this Day with you I feel no small Disappointment in being obliged to substitute Pen and Ink in Place of the more substantial Pleasure of a personal Interview, but the Weather has turnd out so bad and some Events have happened in Congress that would have deprived one of the Satisfaction of meeting you if the Weather and other Circumstances had been favourable. . . .

About 8 Days ago the Committee of Arrangement was ordered to proceed to Camp. at that Time I was confined and immediately afterward the Business of Congress led to Inquiry into the Conduct of our Commissioner abroad when mutual Recrimination brought out the Charge made by Dr. Lee against Mr. Langdon and myself as holding a treacherous Correspondence with the British Ministry. It seems Dr. Lee transmitted it to Paris to be forwarded to America somehow concealed in the blank Leaves of Entick's Dictionary—The Gentlemen at Paris on examining it fearing it would have fatal Effects on our Characters kept it back. after a little Time Mr. Lee having joined them as a Fellow Commissioner and soon falling out with them he endeavoured to get the Dictionary from them which was refused, and last spring it was sent over to Mr. R. Morris who seeing only a Dictionary and no Explanation could not tell what to make of it but laid it by and it being at Manheim we have not yet seen the Contents.² The story having now taken Wind and a strong Party formed in Congress against the Lee Connection they are resolved to avail themselves of this indiscreet and imprudent Measure to turn him out of Employ if they can—or at least that it shall be a Make Weight in the Scale.³ For my own Part, my Opinion of Dr. Lee is not altered by the Transaction—I shall vote just in the same Manner as I should have done if another Person had been the Object of this Charge, and am really sorry that the Talent he unquestionably possesses should be useless to himself

[467]¹ N. Y. Hist. Soc., MSS. of Joseph Reed, IV.; Library of Congress, Force Trans., Reed (extract).

² The letter of Arthur Lee here referred to is that of June 3, 1776, in Force, *Am. Arch.*, fourth ser., VI. 685; Wharton, *Rev. Dipl. Corr.*, II. 95. It was written on the blank leaves of a copy of Entick's *New Spelling Dictionary*, and two of the leaves, containing the latter part of the letter, still exist. They are in the Library of Congress (Papers Cont. Cong., no. 83, vol. I., f. 21). On the back of the last of these leaves is a memorandum by James Lovell: "1778 Sepr. 4 Recd. in Congress from Mr. Morris Decr. 7 delivered to the Com'tee of foreign affairs Attest James Lovell." A copy of part of the letter, found at the same place, bears this memorandum by Lovell: "Copy of A. Lee's Letter to the Com'tee of Secret Correspondence date June 3d and taken from the Original in the Cover of a Dictionary wch was delivered to the Secretary of Congress by Mr. Robt. Morris on the 4th Sepr. 1778 and delivered to the Com'tee of foreign affairs Decr. 7th following Attest James Lovell." Following this is a further memorandum, "with Feb. 13, 13, 14, Mar. 19, Apr. 15, 1776." Cf. no. 635, *post*. The dictionary was intended as a basis of cipher correspondence between Lee and the committee of secret correspondence, and copies of it were actually used for that purpose in the correspondence between the Lees. See no. 268, *ante*.

³ With regard to the Deane controversy, see no. 401, note 2, *ante*, and nos. 468, 472, 487, 524, *post*.

and dangerous to others for Want of a little Portion of Candour and common ordinary Sense to mingle with them. And at all Events we ought to be thankful that while Rocks and Precipices were all round me, Providence so ordered Matters that I have not only not fallen but possess a greater share of publick Confidence than I ever did.⁴

468. GOUVERNEUR MORRIS TO JOHN JAY.¹

PHILADELPHIA 16 Augt: 1778

Dear Jay

. . . . We are at length fairly setting about our finances and our foreign affairs. For the latter particularly, I much wish you were here. Many persons whom you know are very liberal of illiberality. Your friend Deane who hath rendered the most essential services, stands as one accused. The Storm increases, and I think some one of the tall trees, must be torn up by the roots.²

469. GOUVERNEUR MORRIS TO ROBERT R. LIVINGSTON.¹

PHILADELPHIA 17th Augt. 1778.

. . . . A variety of those little incidents which postpone great affairs especially in a body so constituted as the Congress, together with a want of that providence and arrangment of business which I have labored to inoculate and establish ever since I have been here have produced the evil you complain of in your loan offices. It is now in a train for speedy redress.²

The Vermont business doth indeed press and daily with additional weight. Let our situation be considered. The attention of the members of Congress to this affair must be entreated not forced.³ At present three days in the week are set apart for the treasury and finances, two more for the consideration of foreign affairs⁴ add to this that Congress is also an executive body. I do not mean to apologize. I know I shall be charged by my enemies. Let not my friends pretend to excuse. If the State have not a confidence that their delegates are willing and able to serve them it is time they were recalled. Justice shall be done to us. I am sorry that the unavoidable delays render it almost injustice.

You tell me that I must be with you at the opening of the Session but you do not let me know when the session is. Let me paint my situation. I am on a Committee to arrange the Treasury and Finances. I am of the medical committee and have to prepare the arrangements of that depart-

⁴ See the *Journals*, Aug. 11,* and nos. 373, 429, *ante*.

[468]¹ Harvard Univ. Lib., Sparks MSS., no. 49, vol. III., p. 22 (extract).

² Deane was called into Congress Aug. 15 for examination. Cf. no. 467, *ante*, and nos. 472, 487, 498, 502, 524, *post*.

[469]¹ N. Y. Pub. Lib., Bancroft Coll., Livingston Papers, II. 137 (copy of part).

² Morris probably alludes to the plan for the reorganization of the treasury department, which appears to have been, in the main, prepared by him. It is found in the *Journals* under Aug. 13. Cf. nos. 470, 471, 533, 567, *post*.

³ Concerning Vermont, see nos. 237, 381, 426-428, *ante*, 507, 543, 544, 597, *post*.

⁴ See the *Journals*, Aug. 12, 13, and no. 470, *post*.

ment. I have the same thing to go through with relative⁵ to the Commissary's Quarter Master and Clothier General's departments. I am to prepare a Manifesto on the cruelties of the British.⁶ *I have drawn and expect to draw, almost if not all the publications of Congress of any importance.*⁷ These are leading things; but the every day minutia are infinite. From Sunday morning to Saturday night I have no exercise unless to walk from where I now sit about fifty yards to Congress and to return. My constitution sinks under this and the heat of this pestiferous Climate. Duer talks daily of going hence. we have nobody else here so that, if I quit, the state will be unrepresented.⁸

470. ANDREW ADAMS TO SAMUEL LYMAN.¹

PHILADELPHIA: 17th: August 1778

Dr: Sir

I have this Day the happiness of receiveing your Fav'r: of the 14th: ulto: trust you have before this recd. a Line from me

⁵ The Bancroft transcript has "relation", but it seems more probable that Morris wrote "relative", the preceding verbal phrase being "go through with", not "go through".

⁶ The *Journals* do not record the appointment of a committee at this time to prepare a manifesto on British cruelties, but there is a reference to such a committee Sept. 12, in language identical with that of the resolve of Jan. 21. See nos. 41, 44, 47, 56, 83, *ante*. Apparently therefore the idea of issuing this manifesto had been allowed to sleep during all these months and was only stirred to life again, probably, by the remonstrance of the British commissioners Aug. 7, relative to the detention of the convention prisoners (see no. 462, *ante*), receiving, no doubt, an additional stimulus from the declarations of Aug. 26 (see the *Journals*, Aug. 31, Sept. 3, 4, 10, and nos. 491, 514, *post*). Probably also the recent representations concerning the conditions of prisoners in the hands of the enemy contributed largely to that end. Gouverneur Morris was a member of the committee of Jan. 21, and he was also a member of the committee of Aug. 12 on the British remonstrance. No specific report from the latter committee is found in the *Journals*, and it may very well be that Congress presently accepted the view expressed by Laurens in his letter to Lowndes (no. 462, *ante*), that the remonstrance did not merit a special committee, particularly after the adoption of the somewhat belated "Declaration" of Aug. 11 (see Laurens's letter above mentioned). At all events, the idea of sending forth a manifesto on the subject was brought to fruition by the appearance of the British manifesto of Oct. 3 (see the *Journals*, Oct. 15, 16, and no. 562, note 2, *post*). Morris was chairman of the committee appointed upon that document, which after making a report Oct. 16 had leave to sit again. It seems unquestionable therefore that the long-contemplated manifesto is that which is found in the *Journals* under Oct. 30, without any explanation of its origin, and it would seem altogether probable that Gouverneur Morris was its author. See no. 596, *post*.

⁷ The *Journals* contain a good deal of evidence to show that this is not quite such an exaggeration as it might at first blush seem to be. A statement made by Morris in later years concerning his services in Congress is pertinent here: "Not to mention the attendance from 11 to 4 in the house, which was common to all, and the appointments to committees, of which I had a full share, I was at the same time Chairman, and of course did the business, of the Standing Committees; viz., on the commissary's, quartermaster's, and medical Departments. You must not imagine that the members of these committees took any share or burden of the affairs. Necessity, preserving the democratical forms, assumed the monarchical substance of business. The Chairman received and answered all letters and other applications, took every step which he deemed essential, prepared reports, gave orders, and the like, and merely took the members of a committee into a chamber and for form's sake made the needful communications, and received their approbation which was given of course" (*Diary and Letters*, I. 12).

⁸ The New York delegation included at this time Francis Lewis as well as Morris and Duer.

[470]¹ Harvard Univ. Lib., Sparks MSS., no. 49, vol. III., p. 38 (original); *Letters to Washington* (ed. Sparks), II. 196 n. (extract).

I have as you observed taken a Seat in Congress, and mixd among the great States-Men of America among whose shining Talents you may well imagine my feable Genious is lost in Obscurity. . . .

You Reason perfectly Just in my Oppinion in regard to our Currency. so far as I can Judge there is not the least Idea in Congress to let the Money die as to one particular Member we had some Conversation about I beleave Nothing is further from his thoughts, he is extreamly urgent to have something effectual done to appretiate the Currency; this indeed seems to be the full Determination of Congress and accordingly three days in each Week (except some necessary Business such as attending to the Publick Letter[s] etc.) are now sett apart to attend to our Finances.² this subject is very extensive and will take up much time. The Money in my Oppinion can and must be appretiated, tis of infinite Importance, but this must not be done suddenly, as that would greatly injure the poor and Virtuous Part of the Community and throw a prodigious Advantage into the hands of the present Money holders, a great part of whom are some of the greatest Rascals that ever disgraced humanity and deserve infinitely greater punishment than is in the Power of any State to inflict.

All the News we have here comes from the eastward which you have before it reaches us. I dont know that I can better gratify your Curiosity at present than by giving a general Account of the Proceedings of Congress: according to order we should meet at Nine and adjourn at two: but in fact we Meet about ten and sit till three four and five before we adjourn; this you will say is very inconvenient but leaves us much leasure; but you will consider that much of the Business is transacted by special Committees in the Recess of Congress. besides these there is a Marine Board, a Navy Board, a Treasury Board, a Commercial Board and Com'tee: of foreign Affairs who have no other time to do their Business but in the Recess of Congress. these Boards are at present almost wholly composed of Members of Congress. some of them meet at six in the Morning and sit till eight constantly every day others meet at five in the afternoon or immediately after they Dine and sit till Night and some times till late. I beleave there are but very few Members but what are employed in some of these Ways, so that those who do their duty have not much Leasure to spare. The Debates in the House are similar to those in the british House of Commons. there are here as in most other Assemblys some very Sensable Speakers, and some very loud Talkers. you may make one Exception and then conceive a house composed of very able and sensible Gentlemen: but belonging to different states, whose Laws, Manners, Genious and Inhabitants and indeed almost every thing else very different. . . .

I have now Just returnd from a Visit to the french Minister which every Member of Congress is obliged to receive and give in a formal Manner. he appears to be very Sensable and a Man of Business. Mr: Dean has Just began to give us a full Acct: of all Matters relative to his Business:

² See the *Journals*, Aug. 12, 13, and no. 469, *ante*.

etc. this you would esteem entertaining, more I may not say at present upon this head.³

471. JOSIAH BARTLETT TO JOHN LANGDON.¹

PHILADELPHIA August 18th. 1778.

My dear Sir,

Your favor of the 2d inst. is come to hand and I have communicated to the Commercial Committee what you wrote me concerning the French Ship *Duchess of Grammont* and find they have rec'd your letter to them on that subject. I have urged their immediately taking up the matter and sending you directions as soon as possible. I am sorry to say our Treasury, Marine and Commercial Affairs are in a very bad situation owing to their being conducted by members of Congress who can spare but little of their time to transact them, and are so constantly changing that before they get acquainted with the business they leave Congress and new members totally ignorant of the past transactions are appointed in their stead. This gives me great uneasiness and I wish I could see any prospect of a speedy remedy, but the multiplicity of business that is daily crowding on Congress and the time it takes to transact matters in so large an Assembly filled with lawyers and other gentlemen who love to talk as much as they will not allow me to hope that our affairs will be very soon properly arranged.²

472. JOSIAH BARTLETT TO WILLIAM WHIPPLE.¹

PHILADELPHIA, August 18, 1778.

Dear Sir,

. . . . While affairs remain as they are at present I believe it will be difficult to obtain from Congress a permission to load vessels with provisions for New Hampshire, least they should supply the enemy instead of the Inhabitants of New Hampshire. I am very sorry to hear bread is so scarce with you, and am persuaded it is not owing to the natural scarcity but to other causes among which the fluctuating state of our money is the principal. The Congress are this day to take up that matter and try to provide a remedy. But the affair is so embarrassed, I have but little faith, and fear we shall not be able to effect much during the war, such amazing sums being necessary for the supply of the Army and Navy.²

³ "Congress sit late, hearing Mr. Deane" (Samuel Holten, Diary, *Essex Inst. Hist. Colls.*, LV. 170).

[471]¹ Library of Congress, Force Trans., Whipple, p. 533; Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., f. 215½; N. Y. Pub. Lib., Bancroft Coll., Langdon-Elwyn Papers (copy of part).

² Cf. nos. 533, 602, 603, *post*. The question of placing the executive business of Congress in the hands of others than members had long been agitated, but had only to a minor extent been effected. See vol. II., pp. x-xii, 196, 210 n.

[472]¹ Library of Congress, Force Trans., Whipple, p. 535; Harvard Univ. Lib., Sparks MSS., no. 52, vol. II., p. 216.

² See the *Journals*, Aug. 19. Cf. no. 462, note 12, *ante*.

Mr Wentworth is in town but does not attend public business.

Mr Deane has been called in before Congress to give an account of our affairs in Europe and of his Conduct there. this has taken up some time and is not yet finished. . . .

473. GEORGE PLATER TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

Sir

Your last Favor is now before us, and we shall pay all due Attention to the Contents. The Consideration of your last relative to the Vessel sold by Mr. Harrison² is before the marine Committee, but it does not appear that Mr. Bingham purchased her for the Continent, perhaps for his own private use.³

PHILADELPHIA Aug: 18th 1778.

474. SAMUEL HOLTEN, DIARY.¹

[August 19-21, 1778.]

19. Dined at Mr. R. Morris's, about 2½ miles out of the city. I hear there is a Ball at the City Tavern this evening. I am sorry for it.²

20. I walked out with Mr Gerry. A number of the members of Congress spent the evening with us.³

21. By a letter from Gen. Sullivan dat'd 17th inst. we understand that he was almost ready to attack the enemy at Rhode Island.

475. HENRY LAURENS TO THE GOVERNOR OF NEW JERSEY
(WILLIAM LIVINGSTON).¹

21st Augt. [1778.]

Dear Sir

. . . . We have nothing new from Spain, I mean new to me. Gentlemen not only smiled, but laughed at my Ideas expressed while we were reading the Treaties with France, that the Spaniard had his Eye upon the Floridas and Providence, in order to secure the streights of the Gulph. My conjecture was founded on seeing the bauble of Bermuda thrown in to us, and not a word said of Bahama.² I have lately received strong confirmation of my Suspicions. the Post of St. Marks having been withdrawn by the English, a Spanish Guard I suppose from Pensacola succeeded them. these had a conference lately with our friendly Creek Indians, and in the course of their Talks intimated to the Savages that

[473]¹ Md. Hist. Soc., Red Book, X, 71; *Arch. of Md.*, XXI. 188.

² Richard Harrison of Martinique.

³ The vessel referred to was the sloop *Molly*. See no. 461, *ante*. No report appears to have been made to Congress covering the matter.

[474]¹ *Essex Inst. Hist. Colls.*, LV. 170.

² Cf. no. 674, *post*.

³ Holten habitually records not only with whom he dined or drank coffee or tea, and who with him or his colleagues, but also with whom he walked or rode.

[475]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 272.

² See article V. of the treaty of alliance, in the *Journals* under May 4.

Spain would soon be reposses'd of that Port and adjacent Country. a venerable Don who lately din'd with me let the Cat a little further out. speaking of the late abortive expedition against St. Augustine, a Gentleman observ'd in French that East Florida would be a great acquisition to South Carolina and Georgia. my good friend Don Juan, either unwarily or supposing I did not understand, replied with much gravity, "and also for Spain". I drank a glass of Ale with the Don.³

[P. S.] I have been long out of humour with the too comprehensive term "Continental", and have a strong inclination to coin "Confederal". if Your Excellency has no objection, it shall pass.

476. THE NEW YORK DELEGATES TO THE GOVERNOR OF
NEW YORK (GEORGE CLINTON).¹

IN CONGRESS PHILADELPHIA 21st Augt. 1778.

Sir

Just now a Letter was read from the Governor of Virginia to Congress in which his Excellency (in polite Language) informs Congress that having in vain endeavoured to get their Accounts adjusted and the United States being indebted to it, the State of Virginia have determined not to pay any proportion of their Quota untill the Accounts are settled.² We think it our Duty to inform your Excellency of this Circumstance. Whether the State we have the Honor to represent will imitate this Example it is in their wisdom to determine. . . .

We have the Honor to be With deep Respect Your Excellency's most obedient and humble Servants

F. LEWIS
GOUVR. MORRIS

477. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO THE CHEVALIER DE LANEUVILLE.¹

23d Augt. [1778.]

Sir

Your Servant called on me twice at the times you had directed him, and I have since been twice reminded by Notes from yourself of the expected Brevet for Rank of Brigadier General. I have as often addressed Mr. Duer on the subject and as often received promises from him that he would make the necessary report to Congress, but the multiplicity and hurry of business in which that Gentleman is engaged has hitherto kept it back.

As soon as the Report shall be made and a Resolve formed thereon, you may be assured Sir, of being properly inform'd in the course of my duty.²

³ Don Juan de Miralles. See no. 587, *post*.

[476]¹ N. Y. State Lib., George Clinton Papers, no. 1684 (in Morris's writing); *Clinton Papers*, III. 676.

² See the report of the treasury committee in the *Journals*, Aug. 21. Cf. Morris to Clinton, Sept. 6, *Clinton Papers*, III. 740.

[477]¹ Library of Congress, President's Letter-Book, II. 53.

² See nos. 265, 266, 284, 285, 443, 445, *ante*, and the *Journals*, July 28, 29, Oct. 14, Dec. 3, 4.

478. HENRY LAURENS TO JAMES GRAHAM.¹

23d August [1778.]

Sir

This moment your favor of the 10th together with letters for Mr. Johnston and Mr. Houston² were delivered to me. These shall go forward in the course of the present week.

Were it as inoffensive Sir, without further enquiry to grant a free passage to yourself, I would with great pleasure remove the difficulties you complain of, and add every means in my power for the happy prosecution of your wishes, but your application is met by a question which you have not enabled me to determine; Is the Gentleman a Citizen of any of these States?

If Sir, you are a Subject of His Britannic Majesty, the moment you pass the line of usurpation, you will consider yourself and be considered, as in an Enemy's Country, liable to penalties common in such cases, unless you are guarded by a special licence from the Representatives of the good People of the Union. All therefore that I can at present contribute towards your relief, is to lay your Letter before Congress—and you shall be presently advised of the result.

I write now because I have an immediate opportunity and because as I perceive your Letter has been long on the road I would not hold you in more than unavoidable suspense.

P. S.—

Having since writing the above intimated to Mr. Telfair the receipt and contents of your letter that Gentleman observed there were circumstances in your favor which he should urge to Congress.³

479. SAMUEL HOLTEN, DIARY.¹

[August 24, 25, 1778.]

24. Congress sit late. Dined at four. A hot evening and I am much worried with writing.

25. Congress dined with the French Minister at his invitation and about 40 other Gentlemen. The dinner was Grand and Elegant and the band of musick was very agreeable.

480. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA (RICHARD CASWELL).¹

PHILADELPHIA, August 27th, 1778.

Sir:

. . . . I must now beg leave to call your Excellency's attention to some matters which particularly concern the State which I have the honor to represent.

[478]¹ S. C. Hist. Soc., Laurens Letter-Book, p. 280. The address entered in the letter-book is, "Jas. Graham Esq. at the house of Rich'd Yates Esqr. New York".

² Mr. Johnston has not been identified. Mr. Houston was probably John Houston of Georgia.

³ Graham's letter was referred, Aug. 24, to the delegates of South Carolina and Georgia.

[479]¹ *Essex Inst. Hist. Colls.*, LV. 170.

[480]¹ *N. C. St. Recs.*, XIII. 211, XXII. 977.

I cannot find as yet that Congress have reduced the number of Supernumerary officers in the several Battalions of the different States in the manner they have done to our officers. if so, the States have not been equally dealt by.

Our troops of Light Horse have been shamefully neglected, having been long in want of accoutrements, while other new-raised Corps have been completely accoutred.

No general officer from our State has been as yet appointed, altho' the General Assembly recommended two gentlemen to be nominated by their Delegates which was done in the most pressing manner in December last.²

The requisition of the State for 500,000 dollars for Bounty pay etc. of the men raised to complete the 6th Regiment as the quota of our State, agreeable to the new arrangement has been refused by Congress without assigning any reason as I find on their Journal, only a very short resolve to send 100,000 Dollars in lieu of 500,000 required, and that resolve enclosed to your Excellency without a letter from the President mentioning the motives which induced the measure.³

I am informed it has been asserted in Congress in the absence of our Members, that the State of No. Carolina had received from the Continental Treasury more than their proportion of money, and until their account against the United States should be properly liquidated, no farther sums should be advanced. This will convince you Sir, of the absolute necessity of sending on the accounts and vouchers, not only those relative to the supplies to the Continental Troops but also those relative to the Insurrection, the Indian Expedition, the Militia sent to Virginia and those called out on several other occasions, as I find all the other States are endeavouring to do the same. I am very well convinced that No. Carolina is largely in advance to the Continent, much more I expect, than will pay the late requisition, which if I remember right was 250,000 dollars. I have been exceedingly hurt when called upon to produce the demand our State has against the United States, and must repeat to your Excellency my earnest desire that you will be pleased to send on the accounts and vouchers, stated by Gentlemen well acquainted with accounts as every matter of this sort will be very strictly scrutinized by Commissioners of Claims appointed for that purpose.

I wish we could have been represented in Congress, at the time the requisition for 500,000 dollars was made. I flatter myself the State would not have been affronted in so gross a manner. I stayed at York Town until the very last day to which I was appointed, being resolved to travel home at my own expense, rather than leave the State unrepresented. . . . Had either of my associates or *even myself* been present, the credit of the

² The resolution of the North Carolina assembly (Dec. 15, 1777) was laid before Congress Feb. 10, by the delegates of that state, who nominated Colonels Jethro Sumner and Thomas Clark for election as brigadier-generals. The nominations were renewed Dec. 29, but on Jan. 9, 1779, Col. James Hogan was nominated in place of Colonel Clark and thereupon Congress chose Sumner and Hogan brigadier-generals. See Burke to Caswell, Jan. 10, 1779, in vol. IV.

³ See the *Journals*, May 25, 29, Sept. 5, and no. 505, *post*. Concerning the requisition see Caswell's letters to the President of Congress May 2 and 6, and to Penn, Aug. 13, *N. C. St. Recs.*, XIII, 111, 122, 207.

State of No. Carolina would not have been so wantonly sported with. Myself and Colleagues intend as soon as we can find an opening to introduce this subject, for my own part, I can't be easy, until Congress explain to the State, the reasons of their conduct. They have been so taken up since my arrival with business of very great importance to the public, that we have not had it in our power as yet to bring this matter on, but are determined to do it as soon as possible. I could have wished that Congress had appointed a Deputy Pay Master General in our State, and had taken care to have supplied a Military Chest with money necessary for the pay and subsistence of their Troops. this measure has taken place in almost every one of the other States. . . .

481. CORNELIUS HARNETT TO THOMAS BURKE.¹

PHILADELPHIA 27th August 1778.

Dear Sir:

Upon my arrival here, I met with the Inclosed Letter. Congress seems to go on in the old way, some times disputing upon trifles, and neglecting the greater matters of the Law. . . .

When the Assembly meets I beg you will endeavour to get their account of the expenditures for Continental Services sent on in which ought to be included the expense of the Armament to quell the Insurrection, the Expedition against the Indians, the Militia sent to Virginia, and those raised on several Other Occasions. I am firmly of opinion these matters ought to be made a Continental Charge, as you know such charges are made, and allowed to other states daily. I hope you, Mr. Hooper, Maclain, etc., will exert yourselves on this occasion.² . . .

482. HENRY LAURENS TO THE GOVERNOR OF GEORGIA
(JOHN HOUSTOUN).¹

27th Augt. [1778.]

Dear Sir

I should not have remained so long in arrear for Your Excellency's obliging Letter of the 9th June, had I not flatter'd myself with hopes that long before this day the circumstances of Georgia would have been introduced as a subject demanding the consideration of Congress, but it has happen'd otherwise.²

To account for the probable reasons would be extremely unpleasant, and perhaps at this time equally improper; nevertheless, 'tis my duty Sir, as a fellow Citizen to suggest to you in that, as well as in the character of Supreme Magistrate of a State that in my humble opinion we cannot fairly

[481]¹ N. C. St. Recs., XIII. 470.

² Harnett reiterates this request in his letters to Caswell Sept. 26 and Oct. 24, *ibid.*, XIII. 224, 249.

[482]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 284; *ibid.*, vol. XXI. (copy in Laurens's writing); Library of Congress, Stevens Trans., from P. R. O., C. O. 5: 182; N. Y. Royal Gazette, May 5, 1779; N. Y. Hist. Soc., *Collections: Deane Papers*, III. 449; *Hist. Magazine*, second ser., I. 66.

² See no. 417, *ante*; also the *Journals*, Sept. 21, 25, Oct. 17, 20.

ascribe the dormancy of this and of very many other momentous concerns, to want of leisure.

I see with grief the return of our troops from East Florida without that success which Your Excellency had hoped for. this unhappy circumstance will add to the distress of Georgia and increase her cries for relief.

While St. Augustine remains in possession of the Enemy, Georgia will be unhappy, and her existence as a free and Independent State rendered very doubtful. South Carolina too will be continually galled by Rovers and Cruizers from that Pestiferous nest. another Expedition must therefore be undertaken at a season of the Year which will not out-vie the bullets and bayonets of the Enemy in the destruction of our Men.

I have before me a Plan for reducing East Florida which I will have the honor of communicating to Your Excellency very soon:³ in the mean time I am constrained to say that unless the several States will keep their representation in Congress fill'd by men of competent abilities, unshaken integrity, and unremitting diligence, a *Plan* which I very much fear is laid for the subduction of our Confederal Independence will, by the operations of Mask'd Enemies be completely executed, so far I mean as relates to all the Sea Coast and possibly to the present Generation. Were I to unfold to you Sir, scenes of venality, peculation and fraud which I have discovered, the disclosure would astonish you, nor would you Sir, be less astonished, were I by a detail which the occasion would require, prove to you, that he must be a pitiful rogue indeed, who, when detected, or suspected, meets not with powerful advocates among those, who in the present corrupt time, ought to exert all their powers in defence and support of these friend-plundered, much injured, and I was almost going to say, sinking States. don't apprehend Sir, that I colour too highly, or that any part of these intimations are the effect of rash judgment or despondency. I am warranted to say, they are not; my opinion, my sentiments, are supported every day by the declaration of Individuals; the difficulty lies in bringing Men collectively to attack with vigour a proper object. I have said so much to you Sir, as Governor of a State, not intended for public conversation, which sound policy forbids; and at the same time commands deep thinking in every Man appointed a Guardian of the fortunes and honor of these Orphan States.

Colonel McClean⁴ who will do me the honor to bear this address to Your Excellency is well acquainted with the present State of our Arms. Copies of two letters from General Sullivan, which will accompany this, will shew that of his particular and important department as it stood 8 days ago. every hour I expect further intelligence. had he been successful and as expeditiously so, as his sanguine hopes had mark'd out I should have received the important tidings the day before yesterday.⁵

³ Presumably the plan of the Marquis de Brétigny, presented to Congress Aug. 26. Cf. nos. 317, *ante*, 608, 618, 627, *post*.

⁴ The Colonel McClean here mentioned has not been identified.

⁵ The letters of General Sullivan to which Laurens refers were doubtless those of Aug. 17 (to General Washington) and 19, read in Congress Aug. 21 and 25, respectively. A letter from Sullivan to Washington Aug. 13, one Aug. 21, and another Aug. 23, relative to the Rhode Island situation, were read in Congress Aug. 19, 27, and 28, respectively. Those of Aug. 13 and 23 are in *Letters to Washington* (ed. Sparks), II. 175, 178. See also nos. 485, 486, 490, 510, 511, *post*.

Not a word that has been said or printed respecting Count d'Estaing's and Lord Howe's fleets, merits confidence. an engagement, and a smart one too, there has undoubtedly been, but who was victorious and what losses each party sustained are unknown in this City. this fact only, that the British fleet had greatly suffer'd and had carried in no prizes four days ago, is ascertained; and from the following paragraph in General Washington's letter of the 21st there is ground to hope that many of Lord Howe's original shew of ships at Rhode Island have been detained by his rival or lost in the late storm. By advices from an Officer of Rank and intelligence who is stationed in view of the Sea I am inform'd that 16 ships enter'd the Hook on the 17th, one having a flag, and that on *that* and the preceding day a heavy cannonade was heard at Sea. This days *Packet* may afford Your Excellency more intelligence. I will trouble you Sir, no further at present, but to repeat that I am with very great

Regard and Esteem etc.⁶

483. SAMUEL HOLTEN, DIARY.¹

[August 27, 28, 1778.]

27. The consul of France ² and 10 other Gentlemen of distinction dined with us by invitation. We had a grand, elegant dinner.

28. News from Rhode Island not agreeable. Count d'Estaing's ships being so damaged by the late storm, he is going to Boston to repair. I expect the expedition will fail. I wrote to Miss^t Holten by Mr. Jones.³

484. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

28 Augt. [1778.]

Sir

. . . . The proceedings of the General Court Martial for the trial of Major General Lee had been made an Order of the day for Wednesday the 26th. Congress then ordered the whole to be printed. The work is large, and I do not expect it from the Press before the 5th of September. . . .

485. HENRY LAURENS TO GEORGE WASHINGTON.¹

28th Augt. [1778.]

Dear Sir

I am indebted for Your Excellency's favors of the 20th and 25th, the former receiv'd three days since, and the latter while I was in Congress

⁶ This letter was obtained by the British when Georgia was conquered and was published in Rivington's *New York Royal Gazette*, May 5, 1779. See the *Journals*, May 14, 15, 18, 1779, and Lauren's remarks, under May 15, 1779, in vol. IV. See also Wallace, *Life of Laurens*, p. 289, and a letter of Candour, in *N. Y. Hist. Soc.: Deane Papers*, III. 452.

[483]¹ *Essex Inst. Hist. Colls.*, LV. 170.

² John Holker.

³ Possibly the express of that name who was the bearer of Laurens's letters to Washington Aug. 28 (see no. 491, *post*).

[484]¹ Library of Congress, President's Letter-Book, II. 55.

[485]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.—Sept., 1778, p. 287.

this Morning; this takes my immediate attention. I feel convinc'd that had Your Excellency named a sum in Gold and apply'd for it to Congress, an order for the Amount would have pass'd without hesitation, but from circumstances which I have more than a few times observed to attend Motions made from private Letters by Gentlemen of Merit and influence transcending far, any that I presume to claim I feared on your account Sir, to hazard a question in the present case. there is a jealousy in the Minds of Men as unaccountable and unreasonable, as it is unnecessary to add a word more upon the subject; to contribute, however, towards forwarding Your Excellency's labours for public good, and from a melancholy conviction of the policy and necessity for constantly prosecuting the measures for which gold in the present critical moment is wanted, I have pack'd up a few pieces, the particulars noted below, which had been lying by me altogether useless and which do not comprehend my whole stock; these may possibly be of immediate Service and I may be reimburs'd when Congress shall order a supply, which I am persuaded will be in the instant of Your Excellency's demand; be this as it may. I intreat Your Excellency will permit me to insist upon the receipt and application of this mite. I do not presume to offer it to General Washington but as a loan to our Country who will repay me amply even by permitting my endeavour to serve her.

I do not remember that ever an application was made by the Camp Committee of Congress. I am more inclined to believe those Gentlemen relied on each other and that neither of them attempted the business, but I may be mistaken. I shall without waiting for a dispatch from Your Excellency to Congress which I would wish to receive seperately from all other business, and with permission to deliver or return it as occasion may require, consult a few friends on the point, and if they approve the measure prevail on one of them to move under a proper introduction for 2 or 300 Guineas to be remitted to Your Excellency for public service. If more hundreds are necessary Your Excellency will be pleas'd to signify it, and even thousands.²

486. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO JOHN SULLIVAN.¹

4 o'clock P. M. 28th August 1778

Sir

The Letter of the present date which will accompany this, was written this Morning and waiting for the Messenger when I attended Congress.²

² Washington's letter of Aug. 20 is in *Writings* (ed. Ford), VII. 155; that of Aug. 25, excepting a few lines, is *ibid.*, p. 163 n.; both are in *Writings* (ed. Sparks), VI. 31, 39. Washington's reply to this letter, Sept. 4, is in *Writings* (ed. Ford), VII. 175, (ed. Sparks), VI. 52. In another letter of the same date (*ibid.*, p. 51) he states that he is returning the gold which Laurens had sent him from his private stock. Cf. Wallace, *Life of Laurens*, p. 295. See, further, no. 491, *post*.

[486]¹ Library of Congress, U. S. Revolution; *ibid.*, President's Letter-Book, II. 56. ² The earlier letter of Aug. 28 (Letter-Book, II. 55) mentions the presentation to Congress of Sullivan's letters of Sept. 1, 10, 19, 21, with copies of his letters to General Washington, and adds: "Congress are sensible of your diligence, spirit and good conduct, and entertain strong assurances of the Completion of the Enterprize you are engaged in to your own Glory and the honor and Interest of the United States of America."

while I was there, a Letter from General Washington of the 25th was brought and usher'd a Copy of yours to His Excellency of the 25th. Gen. Green's sensible and spirited Remonstrance to Count d'Estaing; the Count's Letter of the 21st to you, the Protest of Officers at Camp before New Port of the same date, and your questions to the General Officers and Commandants of Brigades, these papers having been read and considered, the House adopted two Resolutions, 1 for requesting Baron Stüben to repair to Your Head Quarters in order to contribute his advice and assistance, and 2 for preventing the publication of the Protest.³

I flatter myself with hopes that before the Act in which these Resolves are included and which will be hereinlosed shall have reached you, a Glorious conquest or a safe and honorable retreat will have been effected.

487. RICHARD HENRY LEE TO WILLIAM MAXWELL.¹

PHILADELPHIA August 29th 1778.

Sir,

I was yesterday favored with your letter of the 25th instant, for which be pleased to accept my thanks. I do recollect that when my brother practised physick in Virginia about ten or eleven years ago, I then heard him sometimes mention a Doctor Berkenhout who had written a pharmacopea which he esteemed, and that he had an acquaintance with and regard for the Doctor. Beyond this my knowledge of Doctor Berkenhout or his concerns extends not; having never had a word concerning him from my brother since that time, nor did I ever see the Doctor that I remember.

I have laid your letter before Congress, and their sense seems to be, that you use your discretion in cases similar to that of Doctor Berkenhout, governing yourself by the nature of the circumstances.²

I have the honor to be, with regards,

Sir your most obedient and very hble Servt

RICHARD HENRY LEE

³ See the *Journals*, Aug. 28; cf. no. 485, *ante*, and nos. 489, 490, note 3, *post*. Washington's letters to Sullivan, Heath, Greene, Lafayette, and Comte d'Estaing in this period, as well as those to the President of Congress, relate to the Rhode Island episode and the action of D'Estaing. See his *Writings* (ed. Ford), VII. 153, 163, 165, 167, 170, 173, 175, 181, (ed. Sparks), VI. 28, 30, 40, 44, 47, 49, 51, 52, 57. Letters of Sullivan, Greene, Lafayette D'Estaing, and John Laurens, concerning the affair, are in *Letters to Washington* (ed. Sparks), II. 169-210. With regard to Steuben, see no. 527, *post*.

[487]¹ Univ. Va. Lib., Lee Papers; *Letters* (ed. Ballagh), I. 432.

² There is no mention in the *Journals* of the reading of the letter from Maxwell to Lee. In a reply to Deane which Lee wrote, Dec. 16, for the *Virginia Gazette* (printed Jan. 1, 1779) and the *Pennsylvania Packet* (reprinted, from the *Virginia Gazette*, Jan. 19) is a statement concerning Maxwell's letter, as follows:

"The truth is that I was a total stranger to him [Berkenhout]. And when I received a letter from Gen. Maxwell informing me that such a person had been with him, it was some moments before I could recollect the name, having only heard Dr. Lee say ten years ago that he was the author of a good pharmacopea, a person with whom he was acquainted, and who was a man of parts. I then immediately read the letter to Congress and informed them what I knew of Dr. Berkenhout, which is as above related. Soon after this he arrived in town and sent me a ticket to know when he should wait on me. Being at dinner, when we arose from Table, I asked an honorable member of Congress (Colo. Scudder of New Jersey) to walk with me to see him. We went and after some general conversation, he asked me if I had received any letter from Dr. Lee concerning

488. ANDREW ADAMS TO HORATIO GATES.¹

PHILADELPHIA 29th August 1778

Sir

I do myself the honor to write you tho I have not the happiness of your Acquaintance: On Acct. particularly of Major Bigelow's being so long detain'd at Congress: as the Reasons of his Deley in my Oppinion really Nead an Excuse: at least I wish to show my full Disapprobation of the Measure: On Major Bigelow presenting your and Genl. Parson's Letter to Congress and making known his Business: ² I perceived an Opposition against granting the Money proposed and of such a Nature as not to be agreeable to me: The first Attact seemd to be levelld agt. the State of Connecticut in general and at Govr: Trumbull and Genl: Parsons in particular: But this being so fully obviated by one of my worthy Colleagues: that it subsided: The Matter was committed and a Report brought in stating a Number of facts and proposing sundry Resolves: one of which was design'd as a Censure upon you: this appear'd to some Gentlemen so ill founded and unjust that they were lead to examin into the facts stated: I have not the Report before me: and cannot pretend to be very exact: but it was said that you had no Right to order the

him, I answered no, he appeared concerned, and imputed it, as my memory serves me, to his having left England too soon after requesting such introductory letter. . . . The next day, I think, he came to my lodgings and informed me that his intention in coming to America was to provide a settlement for his family in a land of liberty, and to find a place where he could practice physick to advantage, on which subjects he asked my advice."

This communication is found in Lee's *Letters* (ed. Ballagh), I. 457, and, with variations, in N. Y. Hist. Soc., *Collections: Deane Papers*, III. 239. In a letter to Henry Laurens Dec. 26 (Long Island Hist. Soc., Laurens Papers; *Letters*, I. 462) he wrote: "In ten minutes after I received Gen. Maxwells letter informing me of Berkenhouts arrival, I read it openly in Congress. Told them the Man was a perfect stranger to me. He applied to me as the brother of a person he had formerly been acquainted with. He told me a very plain story, and seemingly a very honest one concerning the causes of his coming here; which I have sent to the Philadelphia and Virginia Presses. . . . The morning of the day that Dunlaps paper came out, mentioning from an English paper that Mr. Temple and Berkenhout were in Ministerial employment, the latter came into a public breakfasting room where I was, and I never saw him since." Cf. nos. 401, note 2, 439, 467, 468, *ante*, 498, 500, 502, 503, 524, *post*. For an account of Dr. Berkenhout, see Wharton, *Rev. Dipl. Corr.*, I. 541, 654; cf. *ibid.*, III. 7, 8, 14-16. The extract of a letter of Richard Henry Lee quoted by Wharton, I. 655, is given a wrong date. It will be found under its proper date, Feb. 11, 1779, in vol. IV. of these *Letters*.

[488]¹ N. Y. Hist. Soc., Gates Papers, XIII.

² Maj. John Bigelow appears to have been appointed clothier for Connecticut and to have had a contract for furnishing clothing to the troops. Accordingly he came to Congress to obtain money to enable him to carry out his contract, bringing letters from General Parsons and General Gates, which were presented to Congress July 27 and referred to a committee. Bigelow waited at Philadelphia until Aug. 18, when he wrote to President Laurens, mentioning the presentation of Gates's letter and the appointment of a committee "to take the same into consideration, which has been done, and the Report laid on the table some time since". He adds that the state of his health will not admit of his staying longer and requests that the report may be considered and an answer given him (see the *Journals*, Aug. 18). From Bigelow's statement it appears that the report of the committee had been made and laid on the table prior to the time of his writing this letter, but this fact is not recorded in the *Journals*. The report, which is without date, is found in the *Journals* under Aug. 27, at which time a resolution and order in his favor were adopted. Two paragraphs, containing censures of Gates and Measam, stand erased in the report.

purchase by Major Bigelow as there was a Clothier with the Army (vizt.) Major Measom: that the Resolution of Congress under which you acted Directed the Clothier Genl: to send a Deputy or Assistant to the Army on the North River and that in the Mean Time the Commanding Officer take such Order etc: (the Words of the Resolve I pretend not to repeat). The Argument was that as you had a Clothier with you, your Power in that respect ceasd. this lead some Gentlemen to examin into Mr. Measom, and Col: Hews's³ Appointment as it was represented that Mr Measom succeeded Col: Hews: and for my own part I considered them only in the light of Issuing Commissary. The Report however was in favour of granting the Money notwithstanding you had no power to appoint Major Bigelow This Matter was fully discussd and it was urged that the Resolve negat[iv]ing your power and so passing a Censure on you should not pass: as there appeard no kind of Necessity for such a step and it rather appeard like seeking an Occation agt: you 2dly that it was unconstitutional to censure any Gentlemen much less a high Officer in his publick Conduct unheard. 3dly: that the proposed resolve was ill founded etc. Many other Arguments were made use off: and on the whole the Matter passd in the Negative and the Money was ordered.

I am sorry to Observe that in the whole progress of this Affair: it appeard to me that every Obstacle was thrown in the way by one Gentleman: from a State which is under the highest Obligation to you: The Gentleman I refer to Major Bigelow well knows:⁴

489. ANDREW ADAMS TO OLIVER WOLCOTT.¹

PHILADELPHIA 29th August 1778

Sir

I have the pleasure of acknowledging the Rect. of your Favour of the 14th Instant by Mr. Sheldon: and am happy to find you have none of those fears which my Timidity and want of Experience as well as want of Knowledge in Politicks suggested.²

Had Great Britain acknowledged our Independence (which I am convinced she must and will do) before actual Hostilities had been commenced between her and France: I conceive we should have had no Occation of Consulting France in making peace with Britain: which perhaps we must now do as both France and we have acknowledged those eventual Ingagements contained in the Treaty have become positive: in this View not the Allience itself so much as the arival of their Fleet in Consiquence of which those acknowledgements between us have been made is what gave me some Apprehensions: for should a simular Treaty take place between us and Spain (which perhaps may already be the Case) and should France think of possessing the West-India Islands: and

³ Peter Hughes, called in the report "Major".

⁴ The allusion is doubtless to William Duer of New York, a member of the committee, and the author, it appears, of the committee's report. Cf. no. 490, *post*. [489]¹ Conn. Hist. Soc., Oliver Wolcott Papers, I. 45.

² Wolcott's letter to Adams, Aug. 14, which discusses the French alliance, is in George C. Thomas, *Autographs*, but with the erroneous date 1776.

Spain the two Florida's (which in my Opinion is not altogether chimerical) and then both unite in the Idea of totally extirpating England: a Quere would arise whether they would not expect our Assistance: Besides the Inconvenience of their possessing those places: However I confess this is looking forward some Ways: I fully agree with you that we are not blindly to trust the Justice: much less the Generosity of any Nation unconnected with their Interest.

An Instance on which to ground our Caution I think we have before us in the french: fleet leaving R: Island in the midst of an Expedition Jointly undertaken and going to Boston in order to refit when they might as well refitted there and at the same time Co-operated with our forces: and also in Carrying off their Land as well [as] sea forces: However this Matter requires some further Explanation; I feel anxious for the Event of that Expedition: and am in hourly expectation of further Intelligence: we receive constant Official Accounts by Expresses.³

. . . . Our foreign Intelligence gives us Reason to expect that a Treaty of Neutrality and Commerce with Holland will soon take place: and continues to assure us of the favorable Regards of most of the great Powers of Europe:

Three Days in each Week are set apart for considering the Subject of our finances: and a lengthy complex plan for organizing a New board of Treasury has been laid before Congress:⁴ Genl. Mackentosh is now at Fort Pitt is to be reinforced with 1500 Men from Virginia in Order to make an Attack upon the Nearest Settlements of the hostile Tribes of indians.⁵

A flood of small Business from every Quarter continues to crowd out the great important Matters.

The great Neglect in Congress, I think unpardonable. I can more properly express (orally) than write my Sentiments upon some particular Members.

490. JAMES LOVELL TO HORATIO GATES.¹

Augt. 29th 1778
PHILADELPHIA

Dear General,

. . . . Major Bigelows Delay in this Place was founded on the Conquest of Burgoyne, poor Major Bigelow, how has he suffered for the Sins of another!!² You are also sometimes in Hair breadth Escapes by the honest ill directed Zeal of your Friends. What could you do at Rh Island on the 3d and 4th of Sepr. 1778 but meet with Chagrin?³ Who would there

³ Cf. no. 486, *ante*, and no. 490, *post*.

⁴ See the *Journals*, Aug. 13; cf. no. 469, note 2, *ante*. The Connecticut delegates, Hosmer and Adams, writing to Governor Trumbull the same day, add that the plan "is to be taken into consideration this day" (Mass. Hist. Soc., *Collections*, seventh ser., II. 257).

⁵ See the *Journals*, July 25.

[490]¹ N. Y. Hist. Soc., Gates Papers, XIII.

² See no. 488, *ante*.

³ Gates had probably been proposed for the mission to Rhode Island which, in the end, was assigned to Steuben. See the *Journals*, Aug. 28, 29.

be under you that would not undermine your Fame? Sullivan Green and Fayette *might* devote themselves to support it. In the Name of America! what Plan is to be pursued? Is Ld. Howe at Liberty to go and come as he pleases? Is not his Fleet essential to the Safety of Clinton? May he cover N-Yk. and Rh Island alternately, as he pleases?

Notwithstanding the most unpromising State of Things at this Moment let us nurse the new born Alliance, Stifle the Sentiments of the *Protest* however just they are in themselves, they should not be spoken at Noon Day without the most absolute and fatal Necessity. The Printers should be warned at the Eastward.⁴ And however chagrined we may be now, Perseverance or the Blunders of the Enemy will produce a favorable Turn. A good Cause under the Direction [of] *united* honest and brave Men will prosper, Disunion alone open the Door of Fear. . . .

491. HENRY LAURENS TO GEORGE WASHINGTON.¹

PHILADELPHIA 29 Aug 1778

Dear Sir,

I did myself the honor of writing to Your Excellency yesterday by Jones to which I beg leave to refer.

This Morning upon inquiry I was confirmed in my belief that the former Camp Committee had made no application to Congress for Gold or Silver to be deposited in Your Excellency's Hands for public uses, wherefore I suggested to two or three Members the necessity and utility of establishing such a fund and prevailed upon one of the Gentlemen to move the House for that purpose. the motion was accepted, and without a pause, the sum of five hundred Guineas voted. these I shall presently receive and if possible convey them to your Excellency under the protection of Capt. Josiah Stoddard of the Light Dragoons.²

I have just received new addresses to Congress from the British Commissioners at New York—Govr Johnstone, in graceless and almost scurrilous terms without exonerating himself from the charges alleged against him submits to the Decree of Interdiction lately pronounced by Congress. Nor do the Gentlemen, late his Co-adjutors so highly resent the Proceedings on our part as to refuse to treat without the support of the Governor's name.

Your Excellency will judge best from their respective performances on the present occasion, Copies of which shall accompany this Letter.³ . . .

⁴ The "Protest" to which Lovell alludes was that of the general officers, Aug. 22, against the departure of D'Estaing. The correspondence on the subject between Washington, on the one side, and Heath, Sullivan, D'Estaing, Lafayette, Greene, John Laurens, and the President, on the other, is largely found in Washington's *Writings* (ed. Ford), VII. 153-181, (ed. Sparks), VI. 22-64, *passim*, and *Letters to Washington* (ed. Sparks), II. 169-210, *passim*. Cf. nos. 485, 486, 489, *ante*. 491, 504, 506, 510, 511, 515, 518, 519, 532, 578, *post*.

[491]¹ Library of Congress, *Letters to Washington*, XXV. 276; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 289; *Letters to Washington* (ed. Sparks), II. 194.

² See no. 485, *ante*, and the *Journals*, Aug. 29.

³ See the *Journals*, Aug. 31, Sept. 3, 4, 10, and no. 514, *post*. Cf. no. 469, note 6, *ante*.

Monsr. Gerard is exceedingly affected by the late determinations on the Water near Rhode Island and has communicated his sentiments to me with great candor.⁴

492. JOHN MATHEWS TO THOMAS BEE.¹

PHILADELPHIA Augt. 30th 1778.

My Dear Sir

. . . . It is true I did not oppose the Embargo act, as I shall uniformly do, every act of Congress, where I perceive an attempt to step over that constitutional line which has been chaulked out to them, even independent of the Confederation, for if they can exceed their powers in one instance, they may claim an equal right to do it in any, and which was the case in this affair, for the favourers of the measure, claimed a right to do it, because they had done it before, and surely said they if we had a right to do it once we have a right to do it again. This proves to what dangerous lengths Precedents may be carryed, for which reason, I think every, the least attempt in Congress to go beyond the bounds of their Constitution should be immediately checked. Never suffer the plea of necessity to justify the Act, for a specious pretext, can never be wanted, by artful men. cover even the most arbitrary measures, under the guise of necessity and if such a doctrine is once admitted, what is to hinder them from at last totally subverting the Liberties of America. examples of this are within the knowledge of every Man of reading and because the people of America have a very high Opinion of and a very extensive confidence in, the present Congress (I mean previous to our being Confederated) I would for that very reason be doubly watchful of their Conduct, as the precedents they now make will hereafter be exercised, by a set of Men less virtuous to the worst purposes. I'll assure you, I don't remember any thing that has come within my knowledge since the beginning of these troubles, that has given me more uneasiness, than the *eager disposition* that appears in Congress to have that Embargo carryed into execution. they even suspended taking up the Confederation, untill this measure could be carryed, which I think was taking a very uncandid, and unjustifiable advantage of the unlimited powers they *conceeded* to be, prior to the ratification of the Confederation, lodged in their hands, but which was, not withstanding, in my humble opinion, a very gross mistake, for I must ever deny they had at any time this power, for if this is conceded to them, then they have indisputably a right to legislate for the whole when ever they see fit and which acts of legislation must be binding, whether approved by the States or not. the contrary position, I have always understood to be the true one. If they ever had the right or if it had been deemed eligible, they ought to have had it, Why was it not made an article in the Confederation? That this right was never given up to Congress, is already proven by the acts of the different legislatures and which speak their sense of the matter, for you find them lodging the power of laying

⁴ See no. 490, note 3, *ante*.[492]¹ Charleston Lib. Soc., Miscellaneous Letters, p. 115.

Embargoes, in their Executive branches for a certain limited time. This evidently is productive of a confused clashing of the Acts of Congress, with those of the different States.

The same Arguments that may be made use of, for the propriety of lodging this power with Congress, may be adduced, for giving them several other important powers, they at present have not.²

493. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

CONGRESS 31st August 1778

Dear General

I wrote you a Letter long since which went backwards and whether it hath ever yet got so far forwards as to reach you I am utterly incapacitated even to guess. trusting however that you have got or will get it I shall not from Memory repeat what if there at all is at best but faintly traced.²

At present I trouble you on the subject of recruiting your Army which is at this Moment in Debate before the House. It hath been proposed to give ten Dollars in Specie and ten square Dollars to Recruits which I have opposed and it is determined in the Negative.³ I will not fatigue you with the Reasons operating on my Mind they derived not inconsiderably from the probable Consequences of the Measure even upon the Army. Among others I fear to inflame the Rapacity of Soldiers with the Love by the Possession of a Metal of which we have such a plentiful Lack. However let me have your Sentiments for I can promise you a Mind open to Conviction, if you differ in opinion, desirous of Information in all Cases and willing to urge your good Reasons should the Matter be again opened.

494. TITUS HOSMER TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA Aug. 31st 1778

Sir.

. . . . I wish I could with truth assure Your Excellency that in my view our affairs are in a happy train, and that Congress has adopted wise and effectual measures to restore our wounded public credit and to establish the United States their liberty, union, and happiness upon a solid and permanent foundation. I dare not do it, while my heart is overwhelmed with the most melancholy presages. The idleness and captiousness of some gentlemen, maugre the wishes and endeavours of an honest and industrious majority, in my apprehension, threaten the worst consequences.

The Southern States are fixed against holding Congress more than once a day; our hours are fixed from nine in the forenoon to two in the after-

² Cf. nos. 462, 472, *ante*, 511, 520, 534, 556, *post*.

[493]¹ Library of Congress, Letters to Washington, XXV. 311.

² The reference is probably to the letter of Aug. 2, no. 445, *ante*.

³ See the *Journals*, Aug. 31, Sept. 8.

[494]¹ Mass. Hist. Soc., *Collections*, seventh ser., II. 264; *Letters to Washington* (ed. Sparks), II. 197 n. (extract).

noon. If these were punctually attended it would be perhaps as much as could be spared from committees, other business which must be done out of Congress hours. Nine States make a Congress, some States have delegates so very negligent, so much immersed in the pursuit of pleasure or business, that it is very rare we can make a Congress before near eleven o'clock, and this evil seems incapable of a remedy as Congress has no mean to compel gentlemen's attendance, and those who occasion the delay are callous to admonition and reproof, which have been often tried in vain. When we are assembled several gentlemen have such a knack at starting questions of order, raising debates upon critical, captious, and trifling amendments, protracting them by long speeches, by postponing, calling for the previous question, and other arts, that it is almost impossible to get an important question decided at one sitting; and if it is put over to another day, the field is open to be gone over again, precious time is lost, and the public business left undone ²

I am sorry to add that the opposition between the States, and the old prejudices of North against South, and South against North, seem to be reviving, and are industriously heightened by some, who, I fear, would be but too well pleased to see our union blasted and our independence broken and destroyed

I wish what I have wrote may not seem too much like complaining of Congress; but besides that, I am sure it is a just picture of our present situation. When I look back and see how little has been done since I came here, and consider how much there was to do, and the vast importance that it should be done without loss of time, I feel myself under an obligation to account for my own conduct among others, and can think of no better way to do it, than by telling the truth, which I do the more freely

² Cf. no. 132, note 2, *ante*. The practice of holding morning and afternoon sessions (10 to 1 and 4 to adjournment) was adopted by resolution at York Town Oct. 1. The rule was rescinded Nov. 19, but returned to on Dec. 16 (the adjournment to be from 1 to 3). An effort, Jan. 24, 1778, to restore the practice of one session a day failed, but succeeded Mar. 24, the hours established being 9 to 2, though occasionally varied from in practice. Apr. 29 a rule was adopted, "for the space of ten days", fixing the hours at 10 to 1 and 3 to 6 "precisely". At the end of the ten days Congress returned to the one-session practice, and four days later began to make the hour of assembling nine o'clock instead of ten (although no special vote to this effect is found recorded). May 30 two sessions were once more adopted "for the space of one month" (10 to 1 and 3 to 6, except Wednesdays and Saturdays), the hours of adjournment being fixed, "if any one State insists on adjourning". The rule had lapsed of course when Congress reassembled at Philadelphia in July, and the one-session practice was resumed, the hour of assembling being at nine o'clock (with an occasional exception), the adjournment (presumably) at two. Aug. 12, in connection with a resolve to set apart certain days for the consideration of the treasury and finance, a motion that Congress meet twice a day was defeated, and Aug. 27 a similar motion was postponed. Hosmer, writing on the 31st, had evidently not recovered from some bitterness engendered by the discussion on the 27th. Sept. 3 the subject was stirred again, and there appears to have been much wrangling. There was even a motion to have Congress meet at five o'clock in the morning, which had nine affirmative votes out of a total of thirty and carried three states (New York, Pennsylvania, and North Carolina). The outcome was a resolution setting the sessions "till the first of November next" at 9 to 1 and 3 to 6, with certain provisos, and excepting Wednesdays and Saturdays. Sept. 17 the duration of the session on Wednesdays and Saturdays was fixed at 10 to 3. Oct. 20 it was once again resolved to meet only once a day (10 to 3), and this was the prevailing practice thereafter. There were, however, during the last few weeks of the year 1778, frequent evening sessions at six o'clock.

because I can appeal to every gentleman in Congress whether any blame lies upon Connecticut, whether she hath ever been an hour unrepresented, or whether any time hath been lost by the remissness or captiousness or long windedness of her delegates; besides, tho' while hopes of a speedy reform prevailed I thought it prudent to be silent, now those hopes have vanished I thought it best, and my duty, to state our real, though unhappy situation to Your Excellency, that we might have the benefit of your wisdom and advice in concerting proper measures to retrieve us from the unhappy lethargy (shall I call it phrenzy?) into which we have fallen.

Major Adams hath seen what I have wrote above, as far as it respects Congress and their mode of doing business, and permits me to fortify my narration with his concurrent testimony.³ I have not taken the liberty to hint anything of the above to any friends, except to Colo. Dyer in a letter of this date, as I hope yet some measures may be fallen upon to remedy the evil, and it may not be so proper to throw out anything that may become public to lessen Congress in the general estimation, at a time when the British Commissioners are preparing to appeal from them to the people at large, and would be pleased to lay hold of anything which might affect their character in the minds of their constituents, in hopes to derive an advantage from it. . . .

495. JOHN PENN TO [WILLIAM WOODFORD?].¹

[August ? 1778].²

Dear Sir

I send you a copy of the Resolve you desired. General Weedon was not well pleased with the determination of Congress, indeed he was quite the reverse as I have been informed.

If he is not employed soon, I do not expect he will, as no Gentn. can think of permitting any officer to return to the line, a little before the end of the war to entitle him to receive half pay.

It never was intended by Congress that General Weedon should have any other rank than what was given him in March should he be employed again. I shall take pleasure in obliging you in any thing I can you will therefore inclose me your letters and I will forward them and also send those directed to you by express for this purpose. . . .

³ In a letter to Governor Trumbull Sept. 5 (Mass. Hist. Soc., *Collections*, seventh ser., II. 268) Adams expressed his "full approbation" of what Hosmer had written, adding that he most sincerely lamented "the disagreeable truths" contained in the letter. He also remarks, "Yesterday we began to meet twice a day, which is to continue till the first of November,—a measure this, extremely disagreeable to many members, but it has been long urged by the New England States".

[495]¹ Library of Congress, U. S. Revolution.

² This letter is without date, but was probably written shortly after Aug. 18, for the resolve mentioned in the beginning of the letter, a copy of which was enclosed, was of that date. Maj. John Taylor wrote to Woodford Oct. 9 (see no. 586, note 3, *post*): "I have heard that Genl. Weedon's friends have been lately attempting to scrape up that old determined affair of his and yours tho' without success." Concerning the cases of Woodford and Weedon, see no. 178, note 2, *ante*; also Joseph Jones to Washington, May 23, 1780, in the next volume of these *Letters*.

496. SAMUEL ADAMS TO JAMES WARREN.¹

My dear Friend,

. . . . My Enemies in Boston are exceedingly mistaken if they think I have condescended to become a Party Man in their unimportant Disputes about Manly and McNeil; neither of whom, in my opinion, derivd much Honor from the Decisions of the late Courts Martial. I wonder that Manly should attribute his Disappointment to me.² At my Request he calld to see me. I found him to be one of those Men who stand in Need of Advice, and gave him the best I could. I told him what Questions I thought would be put to him, that he might be prepared to answer them. In short I said every thing to him as a Friend which was proper for me to say. Perhaps I was too candid to be thought a Friend. I intended to have been present at the Committee but was unavoidably hinderd. He left the City without calling on me a second time. McNeil is still here. He has called on me twice or thrice. I know not in what Part of the City he lives. His Friends and his Enemies may be assured that I shall give my Voice upon the Subject Matter of his Petition according to my best Skill and Judgment. In this I am sure to be justified by those to whose good opinion alone I pay the least Regard, the candid and impartial.³

PHILADA. Sept. 1, 1778.

497. SAMUEL HOLTEN, DIARY.¹

[September 1-4, 1778.]

Sept. 1. Congress sit late. By invitation the Delegates from Mass'a dined with Mr. Duer, Mr. Dean and Genl. Arnold at their lodgings.

2. By invitation I dined at the City Tavern with the Delegates from South Carolina, Congress and a number of other Gentlemen dined with us.

3. Congress resolved to meet twice a day for 2 months.²

4. Congress received a letter from General Sullivan informing of a Battle at Rhode Island and our army took possession of the ground.

[496]¹ Mass. Hist. Soc., Warren MSS.; *Writings* (ed. Cushing), IV. 52.

² Adams is replying to a letter of Aug. 18 (*Warren-Adams Letters*, II. 41), in which Warren says: "Manley has returned here greatly Chagrined, and full of Bitterness and resentment against you, who he Considers as the principle Occasion of his disappointment. it is Circulated with Industry that you are the patron of McNeil and Intend to have the decision of the Court Martial set aside." Warren's reply to this letter and that of Sept. 12 (no. 518, *post*) is *ibid.*, II. 47, dated Sept. 30.

³ In a letter to John Bradford, entirely pertaining to McNeill, Adams wrote, Sept. 8: "I suppose he is preparing to meet the Marine Committee to whom his Petition is referd. When it may be proper for me to give my Opinion, I intend to do it, with Freedom and Impartiality, not feeling my self interested in the Party Disputes which I perceive there are in Boston between the two Men, neither of whom in my opinion has derivd much Honor from the Decisions of the Courts Martial respecting them" (*Writings*, IV. 57). See, further, no. 532, *post*, also the letter to Warren Sept. 12, and that to S. P. Savage Sept. 14 (*Writings*, IV. 58, 61). Cf. no. 440, *ante*.

[497]¹ *Essex Inst. Hist. Colls.*, LV. 171.

² See no. 494, note 2, *ante*.

498. SAMUEL ADAMS TO JAMES BOWDOIN.¹

Dear Sir,

A few days ago I received a letter from your son in law Mr Temple dated New York, August 23d, requesting me by the first opportunity to inform you of his and Mrs Temple's arrival there, and that, for particular reasons he should be exceedingly happy if your affairs would permit you to meet them at Philadelphia, or as near it as might be convenient to you. He requested this of me, because excepting that letter and another to Mr President Laurens, he had not written a line since his arrival at N. Y., and he had still weighty reasons for declining it. He also desired me to cause it to be made as convenient as might be (at his expence) for Mrs Temple and her little boy, who had not been well since their arrival, to get to Philadelphia. His baggage which is both heavy and bulkey, he intended to get transported in a Flag, if any should be suffered to pass, to Boston, or some port as near it as might be, and hoped to see me soon in this city. His letter to the President was read in Congress. It was short and contained little more than to solicit leave to come to Philada to pay his respects to Congress. This was refus'd upon the idea that he might be a secret emissary from the British Court. I think it is best for him that his request is not granted; for the jealousy of the people at large would, I believe, render his residence here very uncomfortable. A certain Doctor Burkenhout, who came from London in the same packett with Mr T——, is now in prison in this city, committed by the authority of this State, under the same suspicion. I took occasion to inform Congress from my own knowledge of Mr Temple, that although he had been formerly an officer of the Crown of Great Britain, and in the Customs, yet he had constantly given great offence to his brother Commissioners and other friends of that government, particularly Bernard and Hutchinson, by his attachment to those who espoused the liberties of America; that he went to England seven years ago, where, I understood, he had since lived the greater part of the time, entirely out of favor at Court and in private life; and that I had reason to think his connexions in Boston had long expected his return to spend his days there. Congress afterwards orderd the Secretary to inform Mr Temple, that if it was his intention to reside in any one of the United States, the same should be signified by him to the State in which he intends to reside, and the approbation of that State obtaind before a passport could be granted to him. Thus the matter stands in all its particulars, a view of which I thought it proper you should be acquainted with. I wish Mr Temple had turned his attention first to Boston. It is probable he will now do it, and that you will receive a letter from him.²

PHILADELPHIA, Sept. 3, 1778.

[498]¹ Mass. Hist. Soc., *Collections*, sixth ser., IX. 423; *Writings* (ed. Cushing), IV. 54.

² See the *Journals*, Sept. 1; cf. *ibid.*, Dec. 3, 8. See also nos. 671, 672, 685, 689, 698, 699, *post*. Concerning Dr. Berkenhout, see no. 487, *ante*, and nos. 500, 502, 564, 566, 635, 671, 697, *post*.

499. JOHN WITHERSPOON TO ———.¹

PHILADELPHIA, Sept. 3, 1778.

Dear Sir,

Your very acceptable letter of the 21st of March, I received about the middle of June, and would have answered it long ago, if there had been any encouraging prospect of conveying it safely. . . .

Your letter came to me sealed, and apparently never opened, in a packet from the British commissioners, which arrived at York-town while the Congress was sitting; and consequently it, as well as one from Mr. F——, was delivered to me in presence of the whole members. As the same packet, besides the public message, contained some private letters addressed to particular members, some of them from Governor Johnstone, one of the commissioners, a proposal was made by a member, who read publicly one received by himself, that every gentleman who had received private letters from any person with the enemy, should deliver them to Congress, that they might be read. This would have been attended with no difficulty as to me; except some family affairs in Mr. F——'s letter very improper to be publicly read, and some expressions in his letter a little offensive speaking of Congress. However, it was not done at that time; and afterwards, in a diet at many days distance, every member who had received any such letters, was called upon to read from them what related to public affairs, which was done.² . . .

500. RICHARD HENRY LEE TO THE VICE-PRESIDENT OF
PENNSYLVANIA (GEORGE BRYAN).¹

PHILADELPHIA Sept. 4. 1778.

Mr. President Laurens having this day informed Congress that your honorable board desired he would write to Gen. Maxwell concerning Doctor Berkenhout, it was desired by Congress that I should furnish you with the Generals letter to me upon the subject, which I have now the honor of doing.²

I must do Dr. Berkenhout the justice to say, that when I informed him General Maxwell had written me that he, the Doctor, said he had "intelligence of much import for Congress" he replied it was a mistake, and that he attributed it to the General being at the time engaged in business with many people, and to his having said his business was to see a Member of Congress, meaning myself. He has further, in conversation told me, that his plan in coming to America was, to find a proper place to fix himself and his family in a Country of freedom, and where he might advantageously practise physick which is his profession. For this he assigned many reasons that appeared to me very forcible ones.

[499]¹ *Works* (Edinburgh, 1815), IX. 166.

² See the *Journals*, June 17, July 9, 16. Cf. nos. 340, 355, 358, 373, *ante*.

[500]¹ Library of Congress, Portfolio 104.

² See no. 487, *ante*, and no. 502, *post*.

Be pleased Sir to return me the letter of Gen. Maxwell when you have done with it.

I am, with due regard, Sir

Your most obedient and very humble Servt.

RICHARD HENRY LEE.

501. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO JOHN BEATTY.¹

4th Sept. [1778.]

Sir

. . . . This will be conducted by Josiah Tatnell Esqr. a Gentleman late of the State of Georgia decended from an Ancient and very respectable family in South Carolina, and himself no less respected in both those States, his political determinations excepted.

Mr. Tatnal was lately made Prisoner of War by the Count d'Estaing's Squadron; the Honorable the Minister Plenipotentiary of France has permitted him by a writing of his hand subscribed and sealed to go into New York in order to work his discharge by the releasment from thence of a Subject of His Most Christian Majesty in Exchange. this paper and also a Copy of his parole Mr. Tatnal will produce for your inspection. Congress have directed me to give this Gentleman a Pass through Jersey, which he will also shew you, and as Mrs. Tatnal with a little family are under his charge I request you Sir, to do me the favor of facilitating their passage.

Congress have also permitted Captain William Nicholls late Commander of the British Packet *Eagle* to go into New York for the like purpose of effecting a proper Exchange which you will prescribe and determine upon, and will also take Captain Nicholl's Parole and restrict the term for his absence in failure of his attempt, in which I would wish you to be very pointed, because from my particular application this indulgence has been obtain'd.

Your Predecessor in Office the Honorable Mr. Boudinot will say much in favor of Captain Nicholls' conduct during his parole confinement within this State. I have known the Captain some five or six years, and have from thence a regard for him.²

502. HENRY LAURENS TO WILLIAM MAXWELL.¹

5th Sept. [1778.]

Sir

I had the honor of paying my respects to you the 26th Ult. in a private address. this is intended also as a private, having received no Commands from Congress respecting your late Letter.²

[501]¹ Library of Congress, President's Letter-Book, II. 61. Addressed, "Colo. John Beaty Com. Genl. of Prisoners Princetown".

² The *Journals* contain no mention of the cases of Tatnall and Nichols.

[502]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 295. Addressed to General Maxwell at Elizabeth (New Jersey), "by Mr. Tatnall".

² The letter referred to is probably the letter of Aug. 25 to Richard Henry Lee (see no. 487, *ante*), which Lee says was laid before Congress.

The Executive Council of this State lately ordered Doctor Berkenhout who came from within the Enemy's Lines at New York thro' your Head Quarters into this City where he had remained some days without explaining himself or the nature of his errand to the Vice President of the State, the President of Congress, or to any Magistrate, to be apprehended and committed to Goal, where he now lies, under suspicion of being a Spy. from the contents of a Paper found in his custody it appears he had a design of offering himself to Congress as a private negociator for terms of peace consistent with Independence between these United States and Great Britain, and 'tis certain that upon his journey hither, he in conversation with a Gentleman in Jersey assum'd the Character of Agent or Commissioner from the Court of Great Britain to Congress.

In a letter to Congress written since he has been in confinement, in terms which appear to be extremely equivocal he claims no public Character, says " he came hither under the sanction of a Pass from an American General ", complains of the hardship of being imprisoned " in a Country which he had been taught to revere as the asylum of liberty " and requests to be permitted to return from whence he came.³

Congress have declined interfering in this business, but I am particularly requested by a Gentleman of the Council to enquire of You, Sir, what were Dr. Berkenhout's pretensions of business or Character when he apply'd to you for a pass and under what authority or permission he gained access to you.

I have also to request you to inform me if you can possibly learn how many ships of the Line which lately went out of the Hook under the command of Lord Howe in order to divert our attack [under?] Count d'Estaing returned after the Storm into New York. a very sensible Man, a deserter from the Enemy, assures me, the *Eagle* and 3 or 4 more capital Ships were driven on shore on Long Island and totally lost, that Lord Howe returned in a frigate which bore his flag, and hitherto I have seen no other names in the New York Papers of his Lordships squadron but the *Isis*, *Renown*, and *Prescott*, which gives an air of truth to the deserters narrative. This is an interesting subject if you will make the necessary enquiry and communicate the result together with every particular information you can collect of the State of the British Fleet you will thereby render a favor which will oblige me very much, and of which I will embrace all opportunities for making proper acknowledgements.⁴

Memo.

Sent the Secretarys Letter to Wm. [John] Temple Esq. under cover to Genl. Maxwell

³ Berkenhout's letter was read in Congress Sept. 5. See nos. 487, 498, 500, *ante*, and nos. 564, 566, 635, 671, 697, *post*. See also *Pa. Col. Recs.*, XI. 567, 568, 576; *Pa. Arch.*, VI, 742.

⁴ Cf. Henry Marchant to Governor Greene, Sept. 6, in Staples, *R. I. in Cont. Cong.*, p. 199.

503. RICHARD HENRY LEE TO ARTHUR LEE.¹

PHILADELPHIA Sept. 6, 1778

My dear Brother

. . . . Congress has not yet taken up the consideration of foreign affairs, but they soon will, I expect in a few days, when I will write you more fully.² We are very anxious here to know that Spain has acceded to our Alliance, and it would be very pleasing that Holland had determined to open Trade with us. . . .

504. SAMUEL HOLTEN, DIARY.¹

[September 7, 1778.]

7. Congress sit late. We received intelligence from Genl. Sullivan respecting the battle and retreat from Rhode Island. I think Gen. Sullivan conducted as well as could be expected.

505. JOHN PENN TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA, Sept. 7th 1778.

Dear Sir:

When I was at New Bern last and was informed that several Gentlemen of the Assembly proposed to ask more money for the purpose of raising Troops for the Grand Army, I was against it and gave my advice that application should be made to Congress for whatever money was necessary for public use, giving them as a reason that I thought it more for the interest of North Carolina to be indebted to the United States, than the reverse that all the other States were occasionally supplied with money, and I was authorized to say (to the Treasury Board) that they would have money by the 10th of May; besides what money was made in our State was confined there. I also knew that no Governor or State when I left Congress was treated with more respect than your Excellency and those you presided over. I therefore had no doubt you would have received whatever money was necessary for marching the Troops without delay. Judge then Sir, of my surprise and chagrin when I found by your letter, which I got a few days ago which I most sensibly felt the indignity offered the State, I belonged to, by the little respect that was paid to her first Magistrate, and loudly complained of it in Congress. The members seem much concerned and resolved to grant us the sum you wrote for, indeed they appeared willing to do every thing that tends to our interest.²

[503]¹ Univ. Va. Lib., Lee Papers; *Letters* (ed. Ballagh), I. 433.

² See the *Journals*, Aug. 13, 14, 15, Sept. 11 to Oct. 22, *passim*.

[504]¹ *Essex Inst. Hist. Colls.*, LV. 171.

[505]¹ *N. C. St. Recs.*, XIII. 214.

² See the *Journals*, Aug. 31, Sept. 5; also the letter of Penn, Harnett, and Williams to Caswell, Sept. 8, in *N. C. State Recs.*, XIII. 216. Cf. no. 480, *ante*, and nos. 523, 542, 546, 552, *post*. The letter of Caswell to which Penn refers is in *N. C. State Recs.*, XIII. 207, dated Aug. 13.

We shall send off the money as soon as we can, which will I expect be in a short time. Congress are obliged to meet twice a day, business still increases, in short unless persons are appointed not members to do some of it we must all be ruined.³

If the Assembly did not discharge the soldiers it is the wish of Congress that they may be kept in Carolina, under the officers until your Excellency can hear from them.⁴

506. WILLIAM HENRY DRAYTON TO JOHN LAURENS.¹

PHILADELPHIA, September 7th, 1778.

Dear Sir:

. . . . We have had but little information with respect to the operations of the French fleet during their expedition against Lord Howe. General Sullivan *forgot* to inclose a copy of D'Estaing's letter to him immediately upon his return to Rhode Island. We have no account of the names of the officers who signed the protest, nor of the answer of the general officers to General Sullivan's third proposition to them, immediately upon the departure of the French fleet for Boston; nor of the precise time when the fleet sailed for and arrived at Boston. These, you know, are of importance to me. The stationary nature of the camp at White Plains may enable you to inform me on this point, and on those relative to Monmouth.²

507. JOSIAH BARTLETT TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

PHILADELPHIA Sept 8th 1778

Hon'd Sir

I have Received your favors of the 8th and 19th ulto and must inform you that I can see no prospect at present of my being able to procure money to be advanced and sent to our State by Congress and for the reasons I mentioned to you and to Colo. Nicholas Gilman in my letters of the 3d and 4th of last month. when I Receive answers to those letters I shall Conduct my Self in that matter according to your Directions. The Delegates of Massachusetts Bay took an order on their own Treasury for 300,000 Dollars to be advanced to them out of the money they were to raise for the use of the Continent, but as I was Doubtful whither a Similar order on our Treasury would answer your end, I Did not move for it, as I make no Doubt you will make use of the money raised by taxes in our State if necessary for the public Service.²

³ Cf. nos. 109, 199, 274, 471, *ante*, 602, 603, *post*.

⁴ No record of such a decision by Congress is found in the *Journals*.

[506]¹ Moore, *Materials for History*, first ser. (*Correspondence of Henry Laurens*), p. 124.

² See the *Journals*, Aug. 28, and nos. 485, 486, 490, *ante*, 510, 511, 518, 519, 578, *post*.

[507]¹ Copied from the original, then in the possession of Mr. Stan. V. Henkels of Philadelphia. In the Dartmouth College Library, Bartlett Correspondence, vol. I., is a draft of this letter, endorsed by Bartlett, "Substance of a Letter to President Weare Sept. 8th 1778".

² See no. 447, *ante*, and no. 560, *post*.

I have Communicated to Several of the N: E: Delegates what Relates to some of the Towns of our State Joining themselves to the State of Vermont (as they are pleased to Call themselves) my present opinion is, that it will be best to lay the matter before Congress for their Direction, but I shall Consider more of it, and take further advice before I proceed. Those Delegates to whom I have Communicated the affair, seem surprised at the ungenerous and impolite Conduct of vermont, and I have reason to Believe they will find few or none in Congress that will Justify their Conduct or Espouse their Cause.³

I have Reced a Copy of the appointment of Delegates to attend Congress the first of November next, and I must beg leave inform you That I can by no means attend Congress after the last of october next. By reason of Mr. Wentworth's Sickness I have not Recd. the least assistance from him, and am obliged to attend so Closely to public business without any interval of Relaxation, that it will be necessary for my Constitution of body and mind to be relieved then, if I am able to hold out till that time. I hope Sir you will give Mr. Whipple and Frost notice and that they will be here Seasonable as the State will not be Represented after that time till they arrive.

Mr. Wentworth left this place the 21st ulto and is by this time I hope nearly arrived home

I am Sir, with great Respect

Your most obedient Servant

JOSIAH BARTLETT.

508. ROBERT MORRIS TO JAMES DUANE.¹

PHILADA. Sept. 8th. 1778

My Dear Sir

. . . . Many important Scenes have occurred since we parted, often have I wished for opportunities of Consulting you on whose judgement and Friendship I cou'd safely rest my self. Duer in many instances supplied your place and a Worthy honest Fellow he is, that Man deserves the Esteem and Confidence of his constituents in the highest degree, for his only fault is an over zeal and anxiety in their affairs. They have an able advocate in my namesake ² and really the representation in Congress from N York does honour to the State. You called on me to give my feeble Voice in support of your representation of the Indian affairs and in bringing forward the Tryal of General Schuyler and had I attended Congress, I certainly shou'd have promoted the points you wished all in my power because I did then as I do now think them just and reasonable, the first have not produced all the evils you expected especially to N York and the latter is I hope brought about by this time. I make no doubt our Friend Genl. Schuyler will be acquitted with honour and I shall rejoice very sincerely with you whenever it happens

¹ See the *Journals*, Sept. 16, and nos. 543, 597, 644, 646, 660, 673, *post*. Cf. no. 469, *ante*.

[508]¹ N. Y. Hist. Soc., Duane Papers, VIII. 208; N. Y. Pub. Lib., Bancroft Coll., American Papers, III. 261 (copy).

² Gouverneur Morris.

I did not join Congress seriously untill since they came down here, now and then I paid them a visit of a few days in York Town during the Winter and Spring, notwithstanding this a great part of my time was employed in Public business for people were perpetually coming after me about it the recess I obtained from my State was of real Service to my own affairs and enabled me to arrange and bring them again into some order.³ I find also that this recess has caused the strongest desire to take place in my mind to get back into my private station again.

Ambition had no share in bringing me forward into Public life nor has it any charms to keep me there, the time I have spent in it has been the severest Tax of my life and really I think those who have had so much, shou'd now be relieved and let some fresh hands take the Helm, these notions prompt me to get out of Congress at the next appointment of Delegates, but my Namesake swears I shall not depart. . . .

The alliance with France certainly secures our Independance and has procured us temporary advantages but I wish these may be properly followed up and the most made of them, our Money is at present the only stumbling block. I wish you was here to assist on that Subject it is as Intricate as important and we really want light and help. . . .

509. SAMUEL HOLTEN, DIARY.¹

[September 9, 1778.]

9. Congress sit but half the day. In the evening I met a Number of Gentlemen of Congress upon Business at the City Tavern.

510. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO COMTE D'ESTAING.¹

10th September [1778.]

Sir

I have the honor to inform Your Excellency that your Letters to me of the 8th July and 26th of August have been laid before Congress.²

The trust reposed in Your Excellency by His Most Christian Majesty in your present Command, is so high an Evidence of Your Excellency's proved abilities, zeal and bravery, as to secure your reputation against those injuries which the ill success of the best laid Plans sometimes brings upon less establish'd Characters.

I am to assure you Sir, that Congress, not admitting a doubt of Your Excellency's attachment to the joint interests of Your Sovereign and of

³ See nos. 254, 348, *ante*.

[509]¹ *Essex Inst. Hist. Colls.*, LV. 171.

[510]¹ Library of Congress, President's Letter-Book, II. 73; S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 310; Paris, Arch. Marine, 146: 202 (L. S.). Addressed, "His Excellency the Count d'Estaing, Lieut. General of the Armies of His Most Christian Majesty, Vice Admiral of his Fleets, and Knight of his Orders Boston". The letter-book notes also, "delivered Monsr. Girard".

² See the *Journals*, July 11, Sept. 9, 10. Concerning the episode of the Rhode Island expedition, see nos. 485, 486, 489, 490, 504, 506, *ante*, 511, 515, 518, 519, 532, 578, *post*.

these United States, have readily concluded that Your Excellency has been influenced in all your aims for the general good since Your Excellency's arrival in America by a strict attention to Your Orders, and to the peculiar state of your Squadron under the varying circumstances of time and place.

The People of America must indeed regret the failure of the late Expedition against Rhode Island; but certainly they will not omit to do just Credit to the Martial zeal of their Naval Allies, which, in pursuit of an hostile fleet was overborne by the power of a sudden and severe Tempest. From such an unfavorable Casualty they will look forward, in hope of Events more consonant to the wise intentions of His Most Christian Majesty, the Glory of his Fleets, and the security and Interest of the United States.

You may be confidant Sir, that every possible aid will be afforded to Your Excellency for the repair of Your Ships. The most immediate and active Measures were taken to furnish Your Squadron with all the supplies which Congress was at first informed were wanted. The true cause why you did not earlier receive them, was the difference between that facility with which ships move from one place to another, and the Embarrassments of a distant land Carriage. The Plan for furnishing Your Excellency's Squadron at Sandy Hook was rendered abortive by its removal to Rhode Island; and the Provisions ordered for this latter place, were afterwards to be transported by land to Boston.

The public Officers are now diligently employed in forwarding to that Capital such supplies as Congress have been informed will suffice for the Squadron thirty days, and if more is required to be sent thither, Congress will continue in the exertion of every practicable means to comply with Your Excellency's future Requisitions: but it is to be wished that the delay and expence of so long a land Carriage in victualling the Squadron could be prevented by its change of Harbour as speedily as possible to Chesapeake Bay or that of Delaware.

511. HENRY LAURENS TO RAWLINS LOWNDES.¹

10th Sepr. [1778.]

. . . General Sullivan writes the 3d Inst. that a perfect harmony subsisted between the Count d'Estaing and himself. this points at certain Circumstances which had happened upon the Count's determination to go into Boston the knowledge of which Congress had engaged to keep within doors, therefore I have not spoke of them to Your Excellency or any other friend and I think myself not yet releas'd. . . .

I shall inclose certain Resolves of Congress approving the late conduct at Rhode Island, and two of Dunlaps' *Advertisers* the Resolves may be published.² I intimated to the House a Resolve of November last³ for

[511]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 306.

² See the *Journals*, Sept. 9. The resolves were printed in the *Pennsylvania Packet* (Dunlap's "Advertiser"), Sept. 10. Cf. no. 510, *ante*, and no. 515, *post*.

³ See the *Journals*, Nov. 28, 1777.

enquiring into the causes of miscarriage of every Expedition etc as a bar to hasty approbation and thanks but my sentiments were lost. I have not time to expatiate on a subject which seems to require attention.

On the 5th Inst. a Member of Congress Mr. R. Morris declared in the House in a formal Address to the Chair that the Embargo was not regarded in Maryland, that flour was daily exported thence under, or under the Idea of, Tobacco. The Delegates of Maryland were present. No Contradiction was intimated. No doubts of the facts suggested, and the matter passed over without notice. This is a simple relation of a fact which duty to my Country has prompted.⁴

512. THE COMMITTEE OF ARRANGEMENT TO THEODERICK BLAND.¹

HEAD QUARTERS, September 11th 1778.

Dear Sir

The Committee of Arrangement² request you would transmit to Head Quarters either to the Commander in Chief or them an exact Return of your Regiment, or if possible an arrangement of it pursuant to the new Regulation of Congress; specifying in the Return the particular state from which each Recruit was raised. If any disputes subsist among the Captains or subalterns they are to be settled by a Board to be appointed for that Purpose, and if any such prevail among the Field officers you will please to make a State³ and Report thereof to this Committee, and as no Claims not represented before the Committee make their Report can be admitted without an application to Congress they wish the utmost dispatch. With a Return of the officers Names send the dates of their Commissions. I am in Behalf of the Committee your mo. obed Servant

J. BANISTER.

inclosed is a Copy of the new Arrangement, prescribed by Congress, for your direction.³

513. SAMUEL HOLTEN, DIARY.¹

[September 12, 1778.]

12. The Delegates from Mass'a dined with the minister of France and a number of other members of Congress, the dinner was grand and elegant and in the French taste.

⁴ See the *Journals*, Sept. 11; also nos. 517, 520, 521, 534, 547, 552, 556, *post*. Cf. nos. 462, 472, 492, *ante*.

[512]¹ Haverford College, Roberts Coll., 722 (addressed to "Col. Theok. Bland or in his absence to the Commanding Officer of his Regimt. of Horse"); *Bland Papers* (ed. Charles Campbell), I. 102.

² The committee of arrangement, as first constituted, consisted of two members, Joseph Reed and Francis Dana (see no. 336, *ante*). Dana obtained leave of absence Aug. 7 and took his departure about Aug. 12. On Aug. 10 Sherman and Banister were added to the committee, and all three (Reed, Banister, and Sherman) were at this time at Washington's headquarters. They probably left Congress Aug. 17, as they are last recorded as voting Aug. 16. Cf. no. 467, *ante*, and no. 548, *post*.

³ The arrangement transmitted was presumably that recorded in the *Journals* under May 27. Letters from the committee to Congress were read Sept. 7, 10, 17; a report was brought in Oct. 9, considered Oct. 12, and adopted Nov. 24.

[513]¹ *Essex Inst. Hist. Colls.*, LV. 171.

514. JOSIAH BARTLETT TO WILLIAM WHIPPLE.¹

PHILADELPHIA Sept 12th. 1778.

Dear Sir,

. . . . The enclosed paper will inform you what the British Commissioners have been sending to Congress and that we have not thought proper to make them any other answer than the Resolve concerning releasing the convention prisoners. The letter to them signed W. H. D. was wrote I suppose by Chief Justice Drayton member from So. Carolina as were the former letters under that signature.²

515. HENRY MARCHANT TO JOHN SULLIVAN.¹

PHILADELPHIA Sept. 12th, 1778

Sir,

I have to congratulate you upon the acknowledged Generalship which you displayed in the late Expedition against Rhode Island. . . . I did myself the Honor of bringing into Congress such Resolutions upon that Occasion as I thought were due from the Publick, to Your Zeal, Bravery and good Conduct, and that Display of Fortitude and Spirit which animated the Officers and Troops. Those Resolutions with some small alterations were passed, they are contained in the Paper inclosed.²

516. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
JOHN CADWALADER.¹PHILADELPHIA
12th Sept. 1778.

Sir,

His Excellency General Washington having recommended to Congress the appointment of a General of Horse, the House took that subject under consideration the 10th Inst. when you were unanimously elected Brigadier and Commander of the Cavalry in the service of the United States.

From the general voice abovementioned you will perceive Sir, the earnest desire of the House, that you will accept a Commission and enter as early as your convenience will admit of upon the duties of the Office and I flatter my self with hopes of congratulating you in a few days, upon this occasion.²

[514]¹ Library of Congress, Force Trans., Whipple, p. 555.

² See the *Journals*, Aug. 12, 31, Sept. 3 (p. 876), 4, 10. Cf. nos. 469, note 6, 491, *ante*. The letter of Ferguson, the declaration of Johnstone, and the declaration of Carlisle, Clinton, and Eden, Aug. 26, together with William Henry Drayton's address to the commissioners dated Sept. 4, were printed in the *Pennsylvania Packet* of Sept. 12. The letters and declarations are in Almon's *Remembrancer*, 1778-1779, pp. 15-18, Drayton's address at pp. 55-64. Concerning Drayton's earlier addresses to the commissioners, see nos. 411, 421, 462, *ante*.

[515]¹ Mass. Hist. Soc., Sullivan Papers, I.

² See the *Journals*, Sept. 9. Cf. nos. 504, 510, 511, *ante*, and nos. 518, 519, *post*. See also Marchant to Governor Greene, Sept. 6, and to the Rhode Island assembly, Sept. 12, in Staples, *R. I. in Cont. Cong.*, pp. 198, 200.

[516]¹ Hist. Soc. of Pa., Cadwalader Papers, I.; Library of Congress, President's Letter-Book, II. 76.

² See the *Journals*, Sept. 10, 22; cf. *ibid.*, Nov. 24.

517. HENRY LAURENS TO WILLIAM SMITH.¹

12th Sept. [1778.]

Dear Sir

. . . . It has been acknowledged that a Member of Congress did give the Information respecting exportation of flour to the Eastern States, Intending it only for private information of your Governor and Council but that you my good friend opened the Letter and let the contents pass under the Eye of several Merchants and others. pray, between you and I, how stands this Mystery? ²

518. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADE. Sept. 12 1778

My dear Sir

. . . . Last Evening a Letter from Governor Trumbull was read in Committee, strongly recommending a Captain for the Ship at Norwich, who, added to great Qualifications, can readily get Men for her.² I mentiond Manly as having the Character of a brave and very popular officer; and read those Parts in your Letter to me that related to him;³ but I am convinced he need not impute his being overlookd to any other Cause than the Decree of the Court Martial, which acquitted him with Honor.

The Rhode Island Expedition is at length finishd. Our Cause is not dishonord though we have not succeeded to our Wishes. Congress have approv'd of the Retreat, thanked General Sullivan and his brave Troops and applauded the Patriotick Exertions of New England. Major General Hancock was unluckily at Boston and missed the Laurel.⁴ In my opinion it would be in a great Degree impolitick at this Juncture to suffer an Odium to be cast on the Count D'Estaing. If there should be a Disposition to do it, I am perswaded Men of Discretion and Influence will

[517]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 312.

² See the *Journals*, Sept. 2, 11, Oct. 2; also nos. 492, 511, *ante*, nos. 520, 521, 534, 547, 552, 556, *post*. Cf. *Arch. of Md.*, XXI. 195, 196, 197, 199, 202, 205, 206.

[518]¹ Mass. Hist. Soc., Warren MSS., vol. III.; *Writings* (ed. Cushing), IV. 58; N. Y. Pub. Lib., Samuel Adams Papers (draft).

² The ship was the *Confederacy* and the captain recommended by Governor Trumbull was Seth Harding, who received the appointment Sept. 25. See the *Journals* (pp. 949, 951), and nos. 537, 539, 540, *post*.

³ Adams is replying particularly to Warren's letter of Aug. 25 (*Warren-Adams Letters*, II. 43), and it was a passage from that letter which he read in committee (the draft of Adams's letter reads, "those Parts of your last Letter"). There is much more in Adams's letter concerning Captain Manley (see nos. 440, 496, *ante*, no. 532, *post*), and also a passage concerning Captain Landais (see nos. 314, 316, 317, 362, 366, *ante*).

⁴ In his letter of Aug. 18 Warren remarks: "Mr. Hancock is returned, seems to be in pretty good Health, is gone on the Expedition against R. Island", etc. (*Warren-Adams Letters*, II. 41; see Adams's reply, Sept. 1, *Writings*, IV. 52). In a postscript of Aug. 27 to his letter of Aug. 25 Warren says: "General Hancock returned last Evening to this Town. It is reported and believed, I suppose, that he is come to order back the French Squadron", etc. (*Warren-Adams Letters*, II. 43). Cf. nos. 396, 409, 410, *ante*.

check it. The Tories will try their utmost to discredit our new Alliance.⁵ And he who not long ago expressed his Opinion, that "a Connection with France would ruin America," will not fail to promote a Jealousy if he can thereby establish his Popularity. Such men should be critically watchd on this Occasion.⁶

519. SAMUEL ADAMS TO SAMUEL PHILLIPS SAVAGE.¹

PHILE. Sept 14—78²

D'r S'r

. . . . I am sorry to hear there is a Disposition in some persons in Boston to cast an odium on the french Admiral for his leaving Rhode Island. In my Opinion it is at this Juncture impolitick in the Extreme. Even if his Conduct was thought to be blameworthy Prudence I think would dictate Silence to us. Men of Discretion and Influence will surely by all means check such a Disposition.

The Tories will try their utmost to discredit our new Alliance. You know how much depends upon our cultivating mutual Confidence. It is not in the Power of undisguisd Tories to hurt our Cause. Injudicious tho honest Whigs may and too often do injure it. Those whose chief aim is to establish a Popularity in order to obtain the Emoluments of places or the Breath of Applause will think they may serve *themselves* by declaiming on this Subject, or prompting others to do it; and they will not fail doing it though they essentially wound their Country.

⁵ In a letter Sept. 2 Warren wrote to Adams: "we have a foolish Spirit prevailing with rancour against the French for leaving Rhode Island. I call it a foolish one because in my Opinion, if the Conduct of the French has been bad, Common discretion would dictate silence to us, and that the only thing was to make the best of it at present. this is the doctrine I preach and practise" (*Warren-Adams Letters*, II. 46). It is questionable whether Adams had yet received this letter of Sept. 12, but a phrase in the letter to S. P. Savage, Sept. 14 (no. 519, *post*), "Prudence I think would dictate Silence to us", suggests that he had at that time received Warren's letter. Cf. nos. 486, 489, 490, 510, 511, 515, *ante*, 519, 530, 532, 578, *post*. A letter from Samuel Cooper to Franklin Jan. 4, 1779 (*Am. Phil. Soc.*, Franklin Papers, XIII. 14; Franklin's *Works*, ed. Sparks, VIII. 305), relates principally to the prejudice against D'Estaing because of his action at Rhode Island.

⁶ The draft has "Such a Man". The allusion is doubtless to Hancock. Cf. Adams to S. P. Savage, Sept. 14 (*Writings*, IV. 61), and to [John Bradford?], Sept. 21 (no. 532, *post*). In a letter to Adams May 10 (*Warren-Adams Letters*, II. 9) Warren mentions an entertainment given to the French officers at Marston, and says: "the Representatives of your Town were all present Except Genl. Hancock who did not honour us with his Company why he did not is a Subject of Conjecture for you and others without being able to assign a reason in any other way." And farther on he remarks: "but what will you think of a member of Congress who for the sake of Establishing his own popularity or for any other reason should Express his Apprehensions or rather his Opinion that this Connection will ruin America. when such an Opinion was given in the hearing of one Tory Lady you may easily Conceive it is told to others and quoted by the great Numbers with which your dear Town abounds." For other comments on the conduct of Hancock, see Warren to John Adams, Oct. 7, 1778, and June 13, 1779, in *Warren-Adams Letters*, II. 50, 103.

[519]¹ *Writings* (ed. Cushing), IV. 61; N. Y. Pub. Lib., Samuel Adams Papers; Wells, *Life of Adams*, III. 40 (extract).

² "Congress sit till after 8 in the evening" (Samuel Holten, *Diary*, *Essex Inst. Hist. Colls.*, LV. 172).

If there be any of my virtuous and *publick* spirited fellow Citizens who pay the least Regard to my opinions I wish they would particularly regard what I say on this Occasion.⁸

I have written in haste and must break off abruptly.

520. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

15th September [1778.]

Dear Sir

I had the honor of addressing Your Excellency on the 10th Instant by Mr. Frisch. on that or the next day Congress framed a Resolve earnestly recommending to the Government of Maryland to take Measures for preventing infractions on the General Embargo,² but yesterday we received repeated Intelligence of illicit exportations of Provisions from that State. it appears to be an indubitable truth, that refraining on our part from Exportation of Provisions would be a more sure means of driving the Enemy from our Coast, than all our troops. If we export freely the Enemy will be supported and our Army starved. . . .

521. FRANCIS LEWIS TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

Sir

. . . . Various complaints have been lately made to Congress, purporting that some Traders at Baltimore are engrossing the flour and other provision, and shipping off the same in direct violation of the Embargo, which if not immediately remedy'd will tend to ruin our Armies and the Fleet of our Allies.²

PHILA 15th Septmr. 1778

522. JOHN HARVIE TO THOMAS JEFFERSON.¹

Sept. the 15th 1778.

Dear Sir

. . . . I intended to have been at the Octo. General Court early in the Session, but there is such a remissness in our Delegates if I leave Congress now our State will be Unrepresented at a time two [*sic*] when Business of the Utmost Consequence to us particularly is in Agitation. I must

⁸ See no. 518, *ante*.

[520]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 317.

² The resolution in the *Journals* under Sept. 11. Cf. nos. 492, 511, note 4, 517, *ante*. According to the Letter-Book, the bearer of Laurens's letter of Sept. 10 was Charles Frisch. This letter was "by Lebbeaus Whitney".

[521]¹ Md. Hist. Soc., Red Book, VII.

² Cf. nos. 511, 517, *ante*.

[522]¹ Library of Congress, Jefferson Papers, second ser., XL. 83.

therefore Sacrifice my own private Interests to a publick Duty. The Moment F. Lee or M. Smith arrive I quit this place I hope for Good.²
Adieu

523. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA Sept. 15 1778

Sir:

The Deligates of the State wrote you a few days ago, that they had at last Obtained a grant of the rema[i]ning 400,000 Dollars to compleat your

² See no. 561, *post*. The Virginia delegates in actual attendance at this time were Harvie, Richard Henry Lee, and Cyrus Griffin. Banister was on a committee at headquarters. Meriwether Smith took his seat Sept. 28, Francis Lightfoot Lee Nov. 9.

Harvie appears to have left Congress Oct. 19 (see no. 586, note 3, *post*). As an example of a delegate's account of attendance, Harvie's itemized bill, rendered to his state May 28, 1779 (Va. State Lib., Executive Papers), is here given:

The Commonwealth of Virginia

To John Harvey - - - Dr.

	Dollars
To attendance in Congress from 1st Sept. 1777 till the 20th Octr. at 8 dollars per day	400
To attendance in Do. from 20th Octr. 1777 till the 10th Apl. 1778 - - at 10 dollars per day	1720
To expences travelling from Albemarle to Philadelphia at 1/3 per mile - - 300 miles	62½
To expences in returning from Philadelphia at 2 s. per mile.....	100
To attendance in Congress from 1st June 1778 till the 5th Octr. following - - at 10 dollars per day	1270
To Do. from 5th to 25th Octo'r at 15 Dollars per day.....	300
To expences travelling to and from Philadelphia 600 Miles. 300 miles going at 2 s. per mile 300 miles returning at 3 s. per mile.....	250
Dollars	4102½

Cr.

	Dollars
By Cash of the continental Treasurer.....	1500
By Do. of Meriwether Smith esq. who kept the accts. of the Delegation from this state	500
Ballance due to J. H.....	2102½
Dollars	4102½

Sworn to before

Thos. Everard

28 May 1779.

Jno. Harvie

2102½

3

630.

Francis Lightfoot Lee's account for 1775-1779 (N. Y. Pub. Lib., Emmet Coll.), rendered about the same time, shows the same per diem and mileage allowances, but he also includes charges for ferriages. Lee's per diem account includes only the period of actual attendance, whereas Harvie appears to reckon from the time of his departure for the seat of Congress to his return home. Furthermore, Lee renders his account in pounds, shillings, and pence.

Richard Henry Lee rendered, Mar. 18, 1780, an account for the years 1778 and 1779 (Va. State Lib., Exec. Papers). He does not give the dates between which he attended, but merely sets down the total number of days for each year, which in 1778 was 186 and is figured at ten dollars per day. He also includes an item for ferriages. His account is rendered in dollars, but the corresponding amounts in pounds, shillings, and pence are given in a parallel column.

[523]¹ N. C. Hist. Comm., Caswell Papers; N. C. St. Recs., XIII. 218, XXII. 980.

draught for 500,000. This was an Object which on my Arrival I had much at heart to accomplish; fearing the General Assembly might have been induced to have disbanded the New raised Troops for want of money—Or Emitted Procl. money for the purpose of paying them off, neither of which was, I hope, done. Had Our State been represented in Congress at the time of Mr. Blounts arrival, I am well convinced the money would have been sent. I am happy to find Mr. Burke and Mr. Hill are appointed for a Year by that means I hope the State will not again meet with such usage.

Should your Excellency think proper to Instruct your Deligates on matters relative to the State, especially such as may not Occur to us; I should be happy. I find when Governors recommend any Measure to the Deligates of their States, it generally has greater weight with Congress, than when propositions are made by them, without any Letter of Instruction for such purpose.

As soon as the 400,000 Dollars can be procured from the Treasurer, I shall in Conjunction with my Collegues, send it forward by some safe Conveyance in the most expeditious manner.²

I must take the Liberty Once more to press Your Excellency to forward as speedily as possible the States Account and vouchers; I am daily told that No. Carolina has recieved more Money from the Continental Treasury in Proportion, than any Other State in the Union. In vain do I tell them that we never had a Military Chest Established in our State, or a Paymaster; that the expence of Drawing Out a Considerable part of Our Militia to quell a very dangerous Insurrection in the very heart of Our Country; another very expensive Expedition against the Cherokees; The raising, paying, clothing and subsisting Ten Continental Batalions for a considerable space of time; has been defrayed Out of the Treasury of Our State. To this they Only Answer, why don't you produce your Accounts? I wish this may be done, as I am confident the Continental Treasury must be largely indebted to us. . . .

If I can persuade Mr. Burke or Mr. Hill to relieve me, my intention is to return home before the winter sets in too severe.³

P. S. A very great Noise has been made in Congress by the Virginia Deligates relative to a Cap Harper driven into Currituck by Goutrage, and an Attempt is now making to reccommend to the State to make restitution to Virginia this matter has been pushed much by the Virginia Deligates, and altho they have been Assisted by the Gentl'n from New York etc they have hitherto failed in their Attempt. I hope your Excellly will inquire into the Matter and see that the persons Who took the Vessel Out of the Inlet be brought to Punishment. The Bill of Costs of the Court of Admiralty is exhorbitant. *More of this in my next.*⁴ . . .

² See nos. 480, 505, *ante*, 542, 546, 552, *post*.

³ See nos. 531, 606, 642, *post*.

⁴ Cf. no. 542, *post*, and see the *Journals*, Aug. 26, Sept. 11, 12, Oct. 31, 1778, Jan. 15 ("Godridge"), Aug. 10, 1779. The Goodriches were a Loyalist family of Virginia, three members of which, John, Bartlett, and John, jr., had achieved notoriety as privateersmen. Some account of them is found in Eckenrode, *Revolution in Virginia* (see pp. 138, 149, 177), and in Allen, *Naval History of the Revolution* (pp. 139, 397,

524. RICHARD HENRY LEE TO ARTHUR LEE.¹

PHILADELA. 16th Sept. 1778.

My dear Brother,

. . . . You were not mistaken in the union you supposed would be formed here between Carmichael and [Deane].² They go hand in hand and are closely allied in forming [factions]. Nor have they been unsuccessful in their wicked labors. But I trust, not in a manner to avail them much, or to [injure] you. The [scheme] is not yet completely opened, but before we part with [Deane], we shall endeavor to get as much truth out, as will save the public from injury. I wish we had all the evidence on your side. But Mr. Stephenson³ is alone here, and we must call for his evidence to fix Carmichaels charges against [Deane] when the former was at Nantes.⁴ The necessity of immediately appointing a [plenipotentiary] for our [ally] has occasioned a vote for the [Doctor]⁵ and his credentials and instructions will soon be sent. In a few days the other [courts] will be determined on. [You] and our [brother]⁶ I think will not be [shaken], but I assure you that envy, selfishness, and [Deane's] arts have created a strange spirit among many, and will require on your parts great wisdom and much [caution] in all your [conduct] and [correspondence]. The [Doctor] is as I always thought him. I am not in the least disappointed or informed by anything [immoral]⁷ that I hear of him. We do not know that he has [written] anything against [you] but I strongly [suspect] it from the conduct of some men. However, virtue will prevail

398). They are frequently mentioned in *N. C. St. Recs.* (see the index to the series), often under corruptions of the name "Goodrich", such as "Goutrage", "Gutteridge", etc. In the *Letters of Richard Henry Lee* (I. 253, 455, II. 75, 77, 81, 85) the name is "Gutridge", "Guthridge", etc. In *Arch. of Md.*, XXI. 89, it is "Gutrich" (*cf. ibid.*, XVI. 268). See also Paullin, *Out-Letters of the Marine Committee*, I. 287, II. 2, 28, 37, and Peter Timothy to Henry Laurens, Aug. 17, 1778, in *Correspondence of Laurens*, p. 123. [524]¹ Univ. Va. Lib., Lee Papers. This letter, with the exception of the passage here printed, is in *Letters* (ed. Ballagh), I. 435.

² The words in square brackets in this letter are written in cipher. See nos. 268, 295, 439, *ante*, 590, *post*. Earlier in this letter Lee remarks, "I must here repeat my former advice, not to use the book cypher you have hitherto done, unless where you have reason to suppose the Bearer of the letter will deliver it himself".

³ William Stephenson. In a letter to the committee of foreign affairs Jan. 5 (Wharton, *Rev. Dipl. Corr.*, II. 466) Arthur Lee says: "Mr. Stephenson, who will have the honor of delivering you this, was a merchant in Bristol, whom I have long known to be zealously attached to the cause of his country." In a letter of the same date to Richard Henry Lee (*Life of Arthur Lee*, II. 126) he says: "Let me recommend Mr. Stephenson as highly worthy of your protection. He will give you a particular account of things here." A letter to Franklin Jan. 7 (Am. Phil. Soc., Franklin Papers, VIII. 21) complains that the despatches had instead been sent by Carmichael. A letter from Capt. Samuel Nicholson to Deane, dated at Quiberon Bay, Feb. 12 (*ibid.*, VIII. 108), mentions that Stephenson is on board, by order of Arthur Lee, and warns Deane against him. Lovell mentions in a letter to Franklin June 20 (Wharton, *Rev. Dipl. Corr.*, II. 626) that Stephenson arrived June 10. See also *Letters of Richard Henry Lee*, I. 375, 465, and the *Journals*, Mar. 24, 1779. Stephenson was a native of Maryland and on June 16 subscribed to the oath required by that state. See *Arch. of Md.*, XXI. 136. Oct. 31 he was nominated by Samuel Adams for the office of commissioner of accounts.

⁴ See the *Journals*, Sept. 18, and nos. 528, 529, *post*. *Cf.* nos. 545, 549, 554, 564, 584, 635, *post*. See also no. 401, note 2, *ante*.

⁵ Benjamin Franklin.

⁶ William Lee.

⁷ The word may be "immoderate".

over vice in the end if tolerable prudence support the former. The [Doctor] is [old] and must soon be [called] to [account] for his [misdeeds]; therefore [bear] with him, if possible. In order to provide for [Deane] I suppose, it has been proposed to have a [consul general] in France, but this I think will never prevail. [One] in each [port] of consequence, and appointed by [Congress] the public good demands, and this will probably be done.⁸

But [Deane's] pride nor avarice will let him in here. . . .
P. S. . . .

525. JOHN WITHERSPOON TO WILLIAM CHURCHILL HOUSTON.¹

PHILADELPHIA, Sept 16, 1778

D Sir

Receive inclosed an Extract of the Minutes of Congress relating to the Representation from New Jersey. We have not copied the Representation itself as you must have it. I believe there is not another State which has its sense in its own words on the Records of Congress, the rest having generally had only Instructions to their members.² I have no news.³ . . .

⁸ Cf. no. 561, *post*. Although Gérard was consul general as well as minister plenipotentiary to the United States, and from time to time appointed consuls and vice-consuls of France for several of the states and ports, it was not until Oct. 25, 1780, that Congress came to a decision to send a consul to reside in France. Nov. 4 following William Palfrey was elected to this office and shortly afterward sailed for France, but was lost at sea.

[525]¹ Haverford College, Roberts Coll., 722.

² The reference is doubtless to the representation of New Jersey relative to the Confederation, which is found recorded *in extenso* in the *Journals* under June 25.

³ The *Journals* of Sept. 16 record the appointment of a committee (Duer, Witherspoon, and Richard Henry Lee) on letters from the Massachusetts council relative to the monument to General Warren. The letter of Sept. 3 was, in fact, the presentation to Congress of an account for the education of General Warren's eldest son, the expenses of which Congress had given pledge (Apr. 8, 1777) to defray. An undated report of this committee, inserted at this point in the *Journals*, proposes that Congress also undertake the education of General Warren's younger children. When, if ever, this particular report was presented to Congress is uncertain, for it was not until July 1, 1780, that Congress took action on the matter. Light is thrown, however, on the report and its history by a letter from Benedict Arnold to Miss Mercy Scollay, Feb. 19, 1779 (Sparks MSS., no. 49, vol. I., f. 265). Arnold had written to Miss Scollay July 15, 1778, that he would use his interest with Congress in behalf of the Warren children and that if he were unsuccessful he would then take a private subscription for the purpose. Again, Aug. 5, he wrote to her that he would apply to Congress soon, and if they should decline, he made no doubt of a handsome subscription. In the letter of Feb. 19 referred to he wrote:

"In my last letter I mentioned applying to Congress in their behalf. on my application a committee was appointed to consider of the matter and report to Congress. one of the members going out of town soon after, prevented the reports being made, which was agreed to by two of them, 'that the three youngest children of the late General Warren should be provided for and educated agreeable to his rank in life at the public expense, and that when of age, the sum of one thousand pounds should be given as a portion to each.'

"This report has never been made to Congress, by reason of some one of the Committees being out of town. I hope soon to have it done. If I am disappointed in my expectation, I intend making a collection for them by private subscription, which I have no doubt will be very considerable. In the meantime I shall esteem and provide for them as my own."

Of the members of the committee, Lee had left Congress at the beginning of November, Duer about the middle of the month, and at the time Arnold was writing Withers-

It begins to be believed that the Enemy are to leave New York and it is thought to be with a view of going to the Westindies—The Arrival of the August Packet alone will make that definitively certain. My Compliments to Mrs Houston.

526. SAMUEL HOLTEN, DIARY.¹

[September 16, 1778.]

16. I met a number of Gentlemen of Congress at evening at the City Tavern on business.²

527. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO BARON STEUBEN.¹

PHILADELPHIA 17th September 1778.

Dear Sir,

. . . . The Commander in Chief having returned to Congress the report of the Committee on the Inspectorate with His Excellency's remarks and observations the whole is recommitted and will probably be soon reported on, but the House is so overcharged with business as renders it impossible even to guess at a time when it will be taken under consideration and concluded.²

spoon alone of the three was in Congress, and he had but just returned after an absence of some six weeks. Miss Scollay had written to Samuel Adams as well as to Arnold on the subject, and Adams had replied, Feb. 27 (Sparks MSS., no. 49, vol. I., f. 164), that he had called upon General Arnold and learned what he had written, adding, "He mentioned them with so much tenderness that I am led to think they will reap still further benefit from his generosity".

Whatever the obstacles encountered in persuading Congress to adopt the measure, Arnold started the private subscription, as intimated in his letter to Miss Scollay. It is this paper doubtless that is found in Samuel Adams's *Writings* (ed. Cushing), IV. 171, which appears to have been sent in November, 1779, to Adams and Hancock in Boston by the Massachusetts delegates, Gerry and Lovell. Two letters of Adams to Gerry and Lovell, in December, 1779 (*ibid.*, pp. 167, 169), throw much light on the subject (see also Adams's letter to John Scollay, Dec. 30, 1780, *ibid.*, p. 236). In a letter to Miss Scollay Aug. 3, 1780 (replying to her letter of July 7, transmitting an account of expenses), Arnold relates the subsequent history of the matter, particularly of the resolution of July 1, 1780 (see the next volume of these *Letters*), with further comment Aug. 19. (The Scollay letter and drafts of the Arnold letters are in the Washington Manuscripts.) An account of the matter may be found in Frothingham, *Life of Joseph Warren*, pp. 542-546; I. N. Arnold, *Life of Arnold*, pp. 216-221; and Sparks, *Life of Arnold*, pp. 127-129.

[526]¹ *Essex Inst. Hist. Colls.*, LV. 172.

² Probably the committee on enemy property in Philadelphia. See no. 454, *ante*.

[527]¹ N. Y. Hist. Soc., Steuben Papers, I.

² See Washington's letters to the President of Congress July 24 and 26, in *Writings* (ed. Ford), VII. 119, 124, (ed. Sparks), VI. 16, 20. The latter (mentioned in the *Journals* as of July 25), brought to Congress by Steuben, was read in Congress Aug. 1, and referred to a committee. This committee reported Aug. 20 a plan for the inspectorship, and its report was referred to the commander-in-chief for his opinion. With Washington's observations upon it, the report was again taken into consideration Sept. 15 and was referred to the committee on arrangement of the army. The matter was finally taken up Jan. 23, 1779, and on Feb. 18 a plan for the department of inspector-general was adopted. Meanwhile Steuben had been sent to assist General Sullivan. See the *Journals*, Aug. 28, 29. Cf. nos. 443, 445, *ante*.

Nothing, I am extremely sorry to say it, is yet reported respecting Mr. Ternant. I am grieved to see this meritorious Officer kept in suspense.³

528. HENRY LAURENS, MEMORANDUM.¹

18 Sept. [1778.]

Mr. G. Morris's amendmt. (Mr. Duer's withdrawn 18 Sept) on Dr. Witherspoon's Motion respecting Mr. D's accounts. debated A M 18th adjrd.

P. M. Called for interrupt'd by report on Carmichl and Mr. Lee's informa. Ent'd Jour'l.

Amendment

Congress being informed by a Letter of Arthur Lee Esqr. Commissioner of the United States at the Court of Madrid and one of the Comm'rs of the said States at the Court of Versailles dated Paris the 4 Day of April last that the Papers left in France by the Hon'le Silas Deane Esqr. late one of said Comm'rs at the Court of Versailles were not sufficient for the Purpose of settling the Amounts of public Monies received and expended in Europe. And being further informed by the said Silas Deane that the time between the Receipt of the Letters to recall him and his Embarkation was so short as to render it impossible to adjust the said Accounts which were from their nature both various and extensive wherefore he had left his Papers and Vouchers in the Hands of a Friend in France lest by Accidents of the Sea or Enemy they might have been destroyed. Resolved that the sd. Silas Deane be directed to lay before Congress the most accurate Accounts which the Materials now in his Possession will admit of and all monies by him received or expended on acct. of the united States of America²

529. HENRY LAURENS, PROPOSED RESOLVE.¹

[September 18? 1778.]

A Paper was delivered from the honorable Richard Henry Lee Esqr. in the words following viz. (insert it) thereupon Resolved that William Carmichael Esqr. be directed to attend at the Bar of the House on Monday next to be examined on Oath touching the charges exhibited against the honorable Silas Deane Esqr. for Misapplication of the Public Money, for Misconduct in his public and private character and for pursuing a repre-

³ Steuben's letter concerning Ternant, dated Sept. 5, was read in Congress Sept. 11. See, further, the *Journals*, Sept. 25, 29, Oct. 2, and no. 556, *post*.

[528]¹ S. C. Hist. Soc., Laurens Papers, vol. 1., no. 29.

² This motion respecting Silas Deane, which Laurens sets down as an amendment offered by Gouverneur Morris, is no doubt that mentioned in the erased entry in the *Journals* Sept. 18 (p. 927). Laurens's memorandum further indicates that the motion of Sept. 16 was made by Witherspoon, and that a motion by Duer had been withdrawn. See no. 524, *ante*, and no. 529, *post*; also the *Journals*, Sept. 14, 16, 18, 22, 25, 26, 28-30, Oct. 5, 14.

[529]¹ S. C. Hist. Soc., Laurens Papers, XXVII.

hensible System and Measures in his public character—contained in the said Paper²

530. JAMES LOVELL TO HORATIO GATES.¹

Sepr. 18th 1778

Dear Sir,

Your Favor of the 11th brought by Col. Hazen was a Confirmation of my former good Opinion of our late Alliance. As I always make the best of every Mishap, I think we ought to conclude that the Events at Newport will prevent too much of our Independence being attributed to the Arrival of the allied-Fleet on our Coasts.² It is reported here that War is declared in the West Indies by the French. The Print of Tomorrow will have the account, if it is authentic. I own I wish we could have settled our Quarrel with Britain without a general War. Our Ally seems to see an Advantage in the Declaration, and therefore, for the present, I repose myself on the *old Skill of France* in such matters. . . .

There must be a great Change of Men in a certain assembly before you can fail of many Friends there, or, a much less probable Circumstance, you yourself must be reversed in Character. . . .

531. CORNELIUS HARNETT TO THOMAS BURKE.¹

PHILADELPHIA, 19 Sep. 1778.

Sir:

Your agreeable favour of the 22nd only came to my hands last night. Believe me when I assure you that I have heartfelt Satisfaction in finding Our General Assembly have shewn a proper resentment at the unprecedented treatment you met with at York Town. They could not have given you a more convincing proof of their approbation of your Conduct in Congress, than by appointing you again in the very face of their ridiculous resolves, to represent them in that Body.²

I have Consulted my Associates in regard to the time of returning home; Mr. Penn seems content to remain and Mr. Williams and myself have concluded to stay until the 1st of December and to return immediately on your or Mr. Hill's arrival. The appointment of Mr. Hill with yourself has given me great pleasure. Our Assembly have been wise in determining that three of their Delegates shall always be present in Congress.³ I only

² The wording of this resolution indicates that it was offered or intended to be offered immediately after the reading of Richard Henry Lee's statement Sept. 18. At the beginning of the memorandum the words "That Mr. Carmichael be, etc.", and at the end, the words "Information exhibited by the Honble R. H. Lee to Congress", are erased. Cf. the *Journals*, Sept. 22, 26. See also nos. 524, 528, *ante*.

[530]¹ N. Y. Hist. Soc., Gates Papers, XIII.

² See nos. 518, 519, *ante*, 532, *post*.

[531]¹ N. C. State Recs., XIII. 483.

² See nos. 220, 225, 226, 233, 235, 236, *ante*. The action of the North Carolina assembly, Aug. 12, 14, 15, relative to the controversy between Burke and Congress is found in N. C. State Recs., XII. 769, 792, 825, 843-845, XIII. 208.

³ The assembly's action relative to the delegation in Congress, Aug 12, is *ibid.*, XIII. 467. Cf. no. 523, *ante*.

wish they had appointed six, which would have made it more convenient for the Gentlemen to attend.

I send News papers. As to the business of Congress, it goes on in the old way, doing more in three hours, at one time than they do at another in three days. . . .

532. SAMUEL ADAMS TO [JOHN BRADFORD ?].¹

PHILADE. Sept 21, 1778

*My dear sir,*²

I beg you not to impute my omitting hitherto to acknowledge your Favor of the 4th of July to Negligence. I have frequently thought of its Contents; and although I was not able to obtain what you wishd for, I think you will not doubt my Sincerity when I assure you that whenever it shall be in my Power to render you substantial Service I shall do it with the utmost Cheerfulness. It is the Opinion of Gentlemen here that the Appointments of Auctioneers to make Sale of such Prize goods as fall to the Share of the Continent should be made by the Authority of the particular States where such Goods may be forfeited.

Your Letter was deliverd to me by Capt. Manly. I am informd by some of my Boston Friends that he speaks of me with a Degree of Bitterness, supposing that I prevented his having another Ship. This gives me not the least Disquietude. He may have been taught to believe it, by Persons who care but little for him and less for the Honor of our Navy or the great Cause we are contending for. Neither he nor his Friends could be at a loss for the true Cause of his Disappointment, if they would advert to the Judgment of the Court Martial which acquitted him *with Honor*. What a strange Inconsistency was there in that Court, in recommending Cap Manly for another Ship, and at the same Time holding up so great a Deficiency in his Conduct as the neglecting to prepare Signals for a Fleet under his Direction, and in general his Want of Experience. This was said by many; and it ought to be satisfactory to Cap Manly, that though I clearly saw the Justice of the Remark, I was silent. In this, it is possible, I was not altogether blameless. I have never felt my self disposd to take a Side in the Disputes which I understand have run high between Partizans of Manly and McNiell. I think Neither of them can derive much Honor from the Decisions of their respective Courts Martial. I wish for the Credit of our Country that both had behavd more to the Satisfaction of the Publick. One of them is still here. I suppose he is preparing to meet the Committee to whom his Petition is referrd. When it may be proper for me to speak my Mind his Friends and his Enemies may be assured I shall do it with Candor and Freedom. In doing this I expect to be justified, by sensible and honest Men. If I stand fair with them, *you well know*, how unsollicitous I am whether others are pleasd or not.³

[532]¹ *Writings* (ed. Cushing), IV. 63; N. Y. Pub. Lib., Samuel Adams Papers.

² From a comparison of this letter with that of Sept. 8 to John Bradford, Continental agent at Boston (Adams's *Writings*, IV. 57), it is inferred that this letter is to Bradford.

³ See nos. 440, 496, 518, *ante*, 614, *post*.

There is another Matter of greater Consequence which I wish to mention to you. I am informd there are Persons in Boston disposd to make a popular Clamor against the french Admiral for leaving Rhode Island. I cannot help remonstrating to my Friends against it as in a great Degree impolitick. Even if it should be thought he had taken a wrong step, it is our Wisdom at this Juncture to forbear criminating him. The Tories will try their utmost to discredit our new Alliance. They cannot succeed but by making injudicious Whigs their Instruments. There are two things from which I am more apprehensive than I am from the joynt Efforts of all our Enemies, viz the intemperate and misplacd Zeal of our honest Friends, and an insatiable Desire in others who are called Friends to establish a Popularity in order to obtain the Splendor or Emoluments of Places, or that vanity of vanities the Breath of Applause.⁴

533. JOSIAH BARTLETT TO JOHN LANGDON.¹PHILADELPHIA Sept. 21st, 1778.²

Dear Sir

. . . . Our commercial, marine and treasury affairs are in a very bad situation and will never be otherwise while they are managed by Committees of Congress who are many of them unacquainted with the business and are continually changing and by the time they begin to be acquainted with the business they quit, others come in who know nothing that has been done: thus we go on from time to time to the great loss of the public. But you will ask why don't you put those affairs into other hands to be conducted who may give their whole time to the business. There are several reasons—first we have not time to make the proper arrangements and form proper systems for conducting the business: above six weeks ago we ordered that Tuesdays, Thursdays and Saturdays in every week should be set apart for arranging the Treasury Board and for the affairs of Finances and nothing is yet completed:³ so much business is daily, crowding on Congress, and so much time taken up in doing business in so large a body of men a great number of whom are lawyers and who think proper to make a long speech or two on every question however trifling etc. etc. etc. etc. that I fear it will be a long time before proper systems will be formed.⁴

534. JOHN MATHEWS TO THOMAS BEE.¹

PHILADELPHIA Sept. 22d 1778

Dear Sir

. . . . Oh! my worthy friend, never was Child more sick of a school, than I am, of this same business, I am sent here upon. I have frequently

⁴ Cf. nos. 518, 519, 530, *ante*, 578, *post*.[533]¹ Library of Congress, Force Trans., Whipple, p. 559.² "Congress sit late. I dined at M[r.] Stephen Collins's with the Delegates of our State and Gen. Arnold, Messrs. Deane, Marchent and Colo. Bartlett" (Samuel Holten, Diary, *Essex Inst. Hist. Colls.*, LV. 172).³ See the *Journals*, Aug. 12, 13, Sept. 26, and nos. 469-471, *ante*, 567, *post*.⁴ Cf. no. 534, *post*.[534]¹ Charleston Lib. Soc., Miscellaneous Letters, p. 113.

heard heavy complaints in our Assembly, of the tedious progress of business, but I will venture to say, you do more business in one day, than we do, in three. . . . I fully intended when I came into Congress, to have accustomed myself to deliver my sentiments upon every important Question, but I have found the thirst for Chattering so extremely prevalent, that it absolutely disgusts me, and frequently Seals my lips, least my conscience should upraid [*sic*] me with the commission of that very sin against our righteous cause, that I see daily committed by others, vizt. the loss of so much precious irretrievable time, and I am afraid the day will shortly arrive when some men, will be made sensible, that all the future services they can render their Country, can never compensate for the invaluable moments, nay hours, days, and months they have trifled away, in idle debate. For my own part, I seldom speak except it is a subject in which the State I belong to, is particularly interested, for I most commonly find some member or other, speak my sentiments, then where is the necessity of a repetition? I thank God, I am not Coxcomb enough to conceive, that my cloathing the same Sentiments, in a different garb, can have greater influence over the minds of men, than the picture that has already been exhibited by my Neighbour. If anything has been left unsaid by others, that has struck my mind, and which I think material why I throw it out, in as few words as possible. If every member would observe this line of conduct, the business of the Great Public may be done but whilst every member is so tenacious, and so cursedly conceited of his own rhetorics it never can.²

It is now a month ago since I moved the inclosed resolution, but it has been postpon'd from time to time, and as I see the disposition of the house is decidedly not to comply with it I bear it with patience. I have done my duty.³

I wait with anxious expectation for your answer to my request for leave to return home. I hope you will be kind enough to forward it to me, as soon as possible. . . .

535. GOUVERNEUR MORRIS TO ROBERT R. LIVINGSTON.¹

PHILADELPHIA 22d Sept 1778

. . . . Duer means to send his resignation—who will be chosen I know not. I think I shall, because it will answer the small politicks of some men better to keep me here than to let me be at home. . . .

I return to politicks. We want as a proper *melange* to our present Arrangements an intriguing industrious Body, a Duane. If Schuyler and Duane should spend the Winter here with me I am convinced the most beneficial Effects would flow from it. Schuyler I believe would be made President and certainly the best President Congress ever had. His Wife would be worth the Gold of Ophir Yea the purest Gold—she would out intrigue Adams. . . .

² Cf. nos. 210, 394, 533, *ante*, and no. 561, *post*.

³ It is not known what the resolution offered by Mathews was, but it is probable that the resolution offered by the commercial committee Aug. 19 relative to the embargo on rice is the one to which he here alludes. Cf. nos. 492, 511, *ante*.

[535]¹ N. Y. Pub. Lib., Bancroft Coll., Livingston Papers, II. 157 (extract).

536. HENRY LAURENS TO GEORGE WASHINGTON.¹

23 Septem [1778.]

Mr. Richard Beresford, a native of South Carolina young Gentleman of family, fortune and good Character who left New York on the 20th Inst. called on me at a late hour last night and delivered a verbal message from Robert Williams Esquire, another native of that State, a very sensible man, long a Practitioner in the Law, a respectable Character in general but not well affected to the Independence of the United States, more than coolly attached to his own private Interests, and I believe held by the British Ministry to be a fast *prudent* friend to their Government.

In the last Conversation Mr. Williams held with Governor Johnstone at New York he discovered, as he presumed, the design of the Enemy to detach part of their Squadron together with ten thousand troops immediately after the hurricane Season to South Carolina, to land either at or near Charlestown, or at Beaufort Port Royal about 70 miles from Charlestown, or at both. The conquest Governor Johnstone apprehended would be easily made and the acquisition extremely beneficial by annexing South Carolina and Georgia to the Floridas—Mr. Williams requests me to avoid as much as possible intimating from whom I have derived my Intelligence, hence Mr. Beresford with great form shut the Parlour door, before he would enter upon the disclosure.

The Idea that I could conceal his name was a little ridiculous. this Gentleman with a Mr. Hopton, not so good a general character as his own and several other disaffected Persons are to embark in a few days under a flag for Charlestown.

The Enterprize is the most likely to succeed so far as to create a favorable diversion of any I can think of at this juncture of time and circumstances. it is a favorite Plan of General Grant's, nor is it improbable that Sir Henry Clinton will be anxious to recover the honor he lost upon the Sands of Long Island.

Is it likely that Governor Johnstone would have communicated a design of such importance to Mr. Williams? it is possible he might for valuable considerations, and also to Mr. Hopton. how shall I account for Mr. Williams' betraying to me the confidence reposed in him. he is a wiley Man, does not give a word in writing, may have in view ultimately to secure his own Estate, for his attachment to the Enemy if their attempts prosper, for the faithful and timely notice given to his Countrymen should they from thence defeat the meditated attack—this he may think will also secure to himself and his present Companions admission into Charlestown which otherwise would be extremely doubtful.

I asked Mr. Beresford upon what principle, Sir Henry Clinton permitted Mr. Williams and the rest to proceed to Charlestown, he replied with a smile "a mark of extraordinary favor certainly."

[536]¹ S. C. Hist. Soc., Laurens Letter-Book, Mar.-Sept., 1778, p. 324.

All that Governor Johnstone has said to Mr. Williams may have been calculated for amusement, or, merely for obtaining a safe re-entrance upon his Estate to a friend of British Government.²

Upon the whole, my Idea is to give immediate notice to South Carolina, preparations will be made for guarding against the effects of the menace, proper steps will be taken for stopping the Flag ship far below the town, and after a proper detention, for returning her and her whole Cargo to the Ocean. if a stroke is really intended she may contain skilful Engineers in frocks and trowsers, and many other dangerous instruments in disguise. if the Vessel shall be ahead of my intelligence, and shall not have left the Port when that arrives, means may be devised for detaining her according to circumstances. upon her return to New York on meeting the fleet, the mode of operations may be decided—the Voyage and return will be completed within October. the next will be the best month for carrying the Project into Execution.

I therefore admit the possibility of the design, and will recommend to my Countrymen to act as they ought if there was no ground for doubt.

Your Excellency may possibly derive some advantage by a comparison of this with other Accounts from New York. I have from this reflection and from considering that all public important intelligence is due to Your Excellency, made the present communication without delay.³

I request Your Excellency to order forward the several Letters for Boston etc. The acquisition of Rice and other provisions for the West India Islands, of Negroes and the destruction of our Navigation, are objects with the Enemy for an Expedition. This instant I learn that Rhode Island is abandoned by the Enemy. I am etc.

537. THE MARINE COMMITTEE TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

Marine Committee

PHILADELPHIA Sepr. 25th. 1778.

Sir

The Marine Committee have been honored with Your Excellency's letters of the 2nd April and 5th of May last. The regard due to your

² John Laurens wrote to his father Sept. 29: "I have received your kind favor alluding to the verbal demonstration by which my friend Beresford was bamboozled—and was indulged with the perusal of your Letter to the General in which you treat the matter in its proper light" (*S. C. Hist. and Geneal. Mag.*, VI. 108). Richard Beresford was subsequently (1783-1784) a member of the Continental Congress, having previously been for a brief period lieutenant governor of South Carolina. Mr. Hopton was probably John Hopton (see *S. C. Hist. and Geneal. Mag.*, VI. 27, 28, VII. 29). Robert Williams and John Hopton were executors in England of the will of Governor William Bull (*ibid.*, VII. 149, 150). Concerning Robert Williams, see also *ibid.*, VI. 37, VIII. 189.

³ See the *Journals*, Sept. 23-25, and nos. 541, 542, 572, 574, *post*. Washington's reply to this letter, Oct. 3, is in *Writings* (ed. Sparks), VI. 77, (ed. Ford), VII. 205 (extract). See also Laurens to Washington Oct. 10, *Letters to Washington* (ed. Sparks), II. 221.

[537]¹ Library of Congress, Force Trans., Trumbull, Misc., 1776-1779; Mass. Hist. Soc., C 51-26, p. 91 (copy).

recommendations induced the Committee to move in Congress the appointment of Captn. Seth Harding for the command of the Continental Ship of War building at Norwich in Connecticut, and I have the pleasure to acquaint you that he had the unanimous vote accordingly ²

The Ship is named *The Confederacy* ³

538. SAMUEL HOLTEN, DIARY.¹

[September 25, 1778.]

25. I dined with the President, Congress Resolved to send 3,000 troops into the States of South Carolina and Georgia.

539. ANDREW ADAMS TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA 26th Sept 1778

Sir

Your favor of the 31st ulto. with its enclosures has been duly received, and laid before Congress.

In obedience to your Excellency's Orders, I have done myself the honor to use my little influence in favor of Capt. Harding. He has been waiting some time on this business, but was last evening unanimously elected to the command of the Ship *Confederacy* now building at Norwich, notwithstanding considerable opposition was made against it by individuals, the ostensible reason for which was the number of Continental Officers now out of employ. But the reasons assigned by your Excellency were so strong as to prevail with all the States against the opposition made by individuals.²

540. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
GOVERNOR OF CONNECTICUT (JONATHAN TRUMBULL).¹

26th September [1778.]

Honorable Sir

. . . . Yesterday Congress took under consideration a Report from the Marine Committee, and thereupon Resolved that the new frigate at Norwich be called the *Confederacy*, and that Seth Harding Esquire be appointed to the Command of the said frigate. the vote for Captain Harding

² See the *Journals*, Sept. 15, 25. Cf. no. 518, *ante*, and nos. 539, 540, *post*.

³ The letter is signed "Richard Henry Lee, Chairman".

[538]¹ *Essex Inst. Hist. Colls.*, LV. 172.

[539]¹ Library of Congress, Force Trans., Trumbull Letter-Book, II. 92; Mass. Hist. Soc., C 51-26, p. 92 (copy).

² Cf. nos. 518, 537, *ante*, and no. 540, *post*. Trumbull's letter of Aug. 31 was read in Congress Sept. 10.

[540]¹ Library of Congress, President's Letter-Book, II. 85; Mass. Hist. Soc., C 51-26, p. 94 (copy).

was unanimous. I declared it accordingly, but I perceive the Secretary has omitted to insert it in the Act of Congress which your Honor will find within this Cover. Captain Harding is a Man of more dispatch than vanity, and will not wait the necessary time which an amendment will require. I commend him.²

541. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
GOVERNOR OF VIRGINIA (PATRICK HENRY).¹

PHILADELPHIA, 26th Sept. 1778.

Sir.

I had the honor of addressing Your Excellency under the 5th Instant. This will convey an Act of Congress of the 25th for the immediate defence of South Carolina and Georgia to which I beg leave to refer.

The apprehension which gave rise to this Act springs from a private verbal Message sent to me by Robert Williams Esq. a Native of South Carolina, a Practitioner in the Law, a Man of good understanding and of a very respectable general Character possessor of a large Estate in that Country, but more attached to his private interests than zealous for the establishment of our Independence, and held to be a friend and favorite of the Ministers of Great Britain. This Gentleman's communication which I received three days ago imported that he had, on or about the 19th Instant learned from Governor Johnstone that an attack by an Army of ten thousand troops and a sufficient number of the ships of the Line was intended upon South Carolina at Charles town or Beaufort, Port Royal, or both; That Governor Johnstone obtained permission for him and several other unstaunch Carolinians to proceed to Charlestown under a flag of Truce. Mr. Williams anxiously pressed a very ridiculous request that I would not give him up as the Author of this important discovery, which strongly implies a degree of treachery, and no less a degree of artifice.

Is it likely that Governor Johnstone would have informed Mr. Williams the Plans intended by the Commanders of the British Land and Sea forces? It is possible he may have entrusted him with the secret for valuable considerations, the flag Vessel may contain skilful Engineers in the habit of Mariners, and she may return with such intelligence as may greatly facilitate the meditated execution. how shall we account for Mr. Williams' breach of confidence only by supposing that in any event he means to secure his own Estate, and wishes to meet a more hospitable reception in Charlestown than his fears had indicated without this harbinger.²

² Cf. nos. 518, 537, 539, *ante*. The Letter-Book shows that Captain Harding was the bearer of this letter.

[541]¹ Library of Congress, President's Letter-Book, II. 88. The same letter, addressed to Richard Caswell, is in *N. C. St. Recs.*, XIII. 234; one of similar purport, to Governor Houstoun of Georgia, is in Letter-Book, II. 86.

² See no. 536, *ante*, and no. 542, *post*; also the *Journals*, Sept. 23, 24, 25. Cf. *ibid.*, Oct. 17, 20, Nov. 2, and nos. 572, 574, *post*.

542. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA (RICHARD CASWELL).¹

PHILADELPHIA 26 Sept. 1778

Dear Sir

. . . . By the resolve of Congress Inclosed to Your Excellency By the President, you will find, it is the desire of So. Carolin[a] that you should take the Command of the No. Carolina Troops with the Rank and pay of a Major General in the Continental Service.² I am informed the New Levies are let out on furlough until march next; could those men be collected and sent forward to So. Carolina it might save a good deal of expence and trouble in Calling out the Militia. The President of Congress will mention to Your Excellency, some Other Matters relative to this Movement, which I am not at present at Liberty to communicate. indeed, they are not yet fully determined upon. You may be assured that a Supply of money will be sent on immediately to defray the expence of Our Troops now to be drawn out exclusive of the 400,000 dollars mentioned above.³ I should be sorry to hear of any more Troops raised or Militia embodied in Our State, unless provision is first made by Congress for their Bounty pay and Sub-sistence etc by sending money forward for that purpose. . . .

The So. Carolina and Georgia Deligates are [so] Incensed against General Rob. Howe that he is directed immediately to Join Genl. Washington at head-quarters and Genl. Lincoln is to Command in the Southern Department: This Gentleman is a Valuable and experienced Officer. he is Ordered immediately to repair to Charlestown.⁴ . . .

I have not had the pleasure of a line from Your Excellency since my return to Congress. I hope I have not given you Offence; I am sure I have not, intentionally—I mentioned in my last that it was the wish of myself and colleagues that Your Excellency would give us Instructions on any matter to be brought before Congress relative to Our State. we find it the Practice of the Governors or Assemblies of the Other States; requests thus made, are seldom if ever refused.

The affair of the Virginia Vessel secured from the Enemy by our Militia at Currituck, has made a great noise in Congress; as she was taken away by persons supposed, (by the Virginians), to be some of Our People. I hope Your Excellency has taken care to have this matter inquired into, and the parties brought to Punishment if any proof appears against them. It has been with great difficulty that Your Deligates could prevent a recommendation to the State to make restitution. the Affair is Postponed at Present, whether it will again be taken up I know not.⁵

[542]¹ N. C. Hist. Comm., Caswell Papers; *N. C. St. Recs.*, XIII. 224, XXII. 982; Harvard Univ. Lib., Sparks MSS., XXXVI. 488.

² The resolves referred to are those of Sept. 25. See nos. 536, 541, *ante*.

³ The passage alluded to is here omitted. See nos. 505, 523, *ante*, 546, 552, *post*.

⁴ See the *Journals*, Sept. 25; also no. 642, *post*.

⁵ See no. 523, *ante*.

543. JOSIAH BARTLETT TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

PHILADELPHIA Sept. 26th, 1778

How'd Sir

Soon after I Recd your letter of 10th Augt with the Inclosures Relative to a number of Towns on the Eastern side of Connecticut River Joining themselves to and being Recd by the Nominal State of Vermont I Communicated the matter to the New England Delegates and to some others all of whom seemed much surprized at their Conduct after some time for Consideration they advised me to lay the Letter and papers before Congress and Request their advice in the matter which I accordingly Did and had the satisfaction to find that every person who spoke on the subject severely Condemned the Conduct of the Revolted Towns and of Vermont; what was proper to be done was all the Difficulty after some little time spent as it appeared to be a matter of Consequence the Congress Resolved that on friday the 18th Inst; the Congress would go into a Committee of the whole House to take into Consideration the said letter and papers The Delegates of New York moved that sundry letters and papers from their state, which had been presented and some others that they had further to lay before Congress Relative to the Conduct of said Vermont might be taken into Consideration at the same time and tho it was opposed by some members as a Distinct and seperate matter it was nevertheless agreed to On the 18th matters of a very pressing nature laying before Congress the affair was ordered to be postponed on the 19th Colo Ethan Allen Came to this City from said Vermont and understanding in what Situation the affair was and that their Conduct with Regard to the said Towns was universally condemned ² He earnestly Requested me not to press Congress to take up the matter till he had an oppertunity to Return to Vermont and lay the matter before their Assembly who are to meet the 9th of october and he says he is persuaded they will Resind their vote for Receiving those Towns and Disclaim any pretensions to the East side of Connecticut River He informs me the vote was past by a small majority ³ Soon after his Return home from his Long Captivity and that agreeable to a promise he made me when I see him in the Jersies as I went to Congress and he was returning home he had opposed the Measure and that if Vermont Does not Rescind the vote He with a very Considerable number who he is sure will Join him will petition Congress against it and that he will himself present the petition to Congress and will use Every other means in his [power] to procure New hampshire Redress against so unjust and impolitic a measure He had also promised that he will immediately write to you and inform you what the assembly shall Do in the matter whither they Rescind it or not and will also write to our Delegates here or Come himself in case their assembly Does not Renounce their Connection with those Towns According to his Desire and the Desire of a number of the Dele-

[543]¹ Collection of D. McN. Stauffer, New York (draft); *Hist. Mag.*, IV. 333.² Bartlett first wrote, "condemned by every member of Congress".³ The words "and that he had opposed it" are here erased.

gates here, who think it much best to have it settled in that way at this Critical Time I have agreed not [to] move for its being taken up by Congress till I hear further from him or Receive further orders from our State. . . .

I believe it is the Desire of the major part of the members of Congress (if possible) to keep of[f] the final Decision of the old Dispute Concerning the New Hampshire Grants to some future time when it may be settled without any danger to the Common Cause.⁴

544. GOUVERNEUR MORRIS TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

PHILA: 27th Sept. 1778.

Sir

I write this short note to your Excellency to suggest the Hint of sending a Committee to confer with the Legislature of New Hampshire on the Affairs of Vermont. You are not to learn that these new States men have debauched some of the Western Townships of New Hampshire. The Temper of Congress in this Business from what passed lately, seems to be if possible to keep matters quiet untill the Enemy leave us, when the Forces of the whole Continent may be turned to reduce them if refractory to the Resolutions of that Body.

Application was made for a Commission of Colo. to Ethan Allen which I opposed. When he was redeemed I moved a Brevet Rank for him which was granted, and he would certainly have had the Commission if I had not learnt that he hath lately interfered in Opposition to the Authority of the State of New York.²

[P. S.] . . . I have the Pleasure to tell you that at Length with infinite Pains and many Disappointments we have got an arrangement for our Treasury which promises the best Consequences. We are now to be employed in Finance. A proper System is before Congress. But will they adopt it?

545. EXAMINATION OF WILLIAM CARMICHAEL.¹

[September 28, 1778.]

Mr. Carmichael having before taking the Oath [to give true answers, to speak the truth, the whole truth, and nothing but the truth, touching such questions as shall be asked,]² intimated that as he might be embarrassed by the Novelty of his Situation he wished to have the Questions propounded to him in Writing and that his Answers might be received

⁴ See no. 507, *ante*; and the *Journals*, Sept. 16. Cf. nos. 544, 597, 644, 646, 660, 673, *post*.

[544]¹ N. Y. State Lib., George Clinton Papers, no. 1803; *Clinton Papers*, IV. 100.

² See the *Journals*, Sept. 24. Cf. no. 543, *ante*.

[545]¹ Papers Cont. Cong., no. 54, vol. II., f. 173 (in the writing of Charles Thomson, except the two introductory paragraphs); Seventy-Six Society, *Papers in Relation to the Case of Silas Deane*, p. 141; N. Y. Hist. Soc., *Collections: Deane Papers*, II. 491.

² The words in square brackets are not in the manuscript, but are found in the Seventy-Six Society *Papers*.

in Writing that he might answer with that Clearness and Precision which he would wish.

Ordered, That Mr. Carmichael be informed that the Questions will be propounded to him by the Chair and that he is to answer *viva voce* but that if he should find himself embarrassed Time will be given him in the House for Recollection.³

Sept. 28, 1778. Mr. Carmichael called in and sworn.⁴

Q. At what time did you become acquainted with Mr. Deane

A. In the month of July or Aug. 1776

Q. Did Mr. D acquaint you with the nature of his mission to France, and at w't time

[A.] I was introduced to Mr. D by Mr. Rogers of Maryland who informed him I was zealously attachd to the int. of Am., and some time after Mr. Deane acquainted me with the nature of his Mission.

[Q.] How long after being introduced to Mr. D. were you acquainted with the Nature of his Mission?

[A.] I cannot recollect precisely

[Q.] Did you assist Mr. D in his public business

[A.] On knowing the nature of his mission I offered to assist Mr. D in any way in my power while I was in France

[Q.] Did Mr. D accept your offer

[A.] He did.

[Q.] In what respect did you assist Mr. Deane?

A. In various respects; I assisted him [in] copying letters and in conversations.

Q. During the time you assisted Mr. D, were you acquainted with the rec. and expenditure of public monies w'ch passed through his hand?

A. I knew Mr. D. recd. money and made purchases and contracts on the public account but as I never wished to charge myself or make myself responsible where I co'd have no merit, I did not pay sufficient attention to answer with precision

Q. Do you know whether Mr. Deane misapplied the public money, or converted any of it to his own use

A. My answer to the former qu. will shew that I am not an adequate judge of the application of public money and can't answer with precision; at the same time wd. entreat that the House wd. not put an interpretation on my silence to the prejudice of any person whatever

Q. From the knowledge you had of Mr. Deane's transactions, do you recollect any instance which you apprehended to be a misapplication of the public money

³ These two introductory paragraphs, which are on a separate sheet, appear to be in the writing of Gouverneur Morris, except the three words "in the House", which were inserted by Henry Laurens. At the top of the sheet, in pencil, is a variant of the second paragraph, which reads as follows: "That Mr. Carmichael be informed that the Questions to be answered will be propounded to him by the House and that he answer *viva voce* but if on any Question he should find himself embarrassed he will Have [full erased] Time allowed him for Recollection."

⁴ See the *Journals*, Sept. 18, 22, 26, 28, and nos. 524, 529, *ante*.

A. I beg to know whether I am to answer from my knowledge or suppositions or opinions in my own mind.

Ordered That Mr. C. withdraw.

On the question whether the last be a proper Question the yeas and nays being required by Mr. Marchant

New Hampshire	Mr. Bartlet	Ay	} Ay
Massachusetts	Mr. S. Adams	Ay	
	Mr. Gerry	Ay	} Ay
	Mr. Holton	Ay	
Rhodeisland	Mr. Marchant	Ay	} Ay
Connecticut	Mr. A. Adams	Ay	
New York	Mr. Lewis	Ay	} Ay
	Mr. G. Morris	Ay	
Pensylvania	Mr. R. Morris	Ay	} Ay
	Mr. Clingan	Ay	
Maryland	Mr. Chase	No	} No
	Mr. Plater	No	
	Mr. Stone	No	
	Mr. Forbes	No	
	Mr. Henry	No	} Ay
Virginia	Mr. Harvie	No	
	Mr. R. H. Lee	Ay	
	Mr. M. Smith	Ay	
	Mr. Griffin	Ay	} No
N. Carolina	Mr. Penn	Ay	
	Mr. Harnet	No	
	Mr. Williams	No	
S Carolina	Mr. Laurens	Ay	} Ay
	Mr. Drayton	Ay	
	Mr. Matthews	No	
Georgia	Mr. Walton	Ay	} Ay
	Mr. Telfair	Ay	
	Mr. Langworthy	No	

So it was resolved in the affirmative.

Ordered That Mr. Carmichael attend at the [bar] on Wednesday next at ten oclock to be farther examined.⁵

546. THE NORTH CAROLINA DELEGATES TO THE GOVERNOR OF NORTH CAROLINA (RICHARD CASWELL).¹

Sir:

PHILADELPHIA, Sept. 29th, 1778.

We are sorry to inform your Excellency, that we have not been able to send forward the money granted for the use of North Carolina. The very great demands on the Treasury previous to our Grant, have been the cause; however we are assured that it will be ready in a day or two at

⁵ See the *Journals*, Sept. 29, 30, and no. 549, *post*.
[546]¹ *N. C. St. Recs.*, XIII. 237, XXII. 984.

farthest.² Congress have been alarmed that our enemy were about evacuating Rhode Island and New York, and that another attempt would be made on Charles Town by them. To prevent their getting possession of that place—so important to our neighbors—it has been recommended to Virginia and North Carolina, to send some of their Militia to assist in the defence of So. Carolina. The high opinion entertained of your Excellency here, and the very great desire the Delegates of that State had, that you would accept the command, was the reason of the resolve relative to you, but in this you will no doubt consider the interest of North Carolina and the propriety of being absent from your Government. Gen'l Howe is directed to repair to Head Quarters and Gen'l Lincoln goes to South Carolina.³

Your Excellency's mo. Ob. humb. Servts.,

JOHN PENN,
CORN. HARNETT,
JNO. WILLIAMS.

P. S. France has certainly declared war against Great Britain.

547. SAMUEL CHASE TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

PHILADA. 29 Sept. 1778.
12 oClock

Dear Sir,

Immediately on the Receipt of your Letter of the 17th.² to the Delegates of Maryland, I communicated the contents to Congress, and laid two Resolutions on the Table, one for a Permission for such Persons as you approve to export to the Eastern States, and another to extend the Embargo. The first seemed to meet with the general approbation of the House. The second was approved by some and doubted by others. The two Resolves were referred to the consideration of a special Committee. . . .

548. THE COMMITTEE OF ARRANGEMENT TO GEORGE WASHINGTON.¹

Sir

When the Committee of Arrangement had the Honour of conferring with you on the Affairs of the Army it appeared to them that it was your Excellys. Opinion that no Prisoners or Deserters should be inlisted, and farther that such as had been inlisted should not join the Army: The Treachery of Armand's Corps about that Time having too fatally demon-

² See nos. 505, 523, 542, *ante*, 552, *post*.

³ See the *Journals*, Sept. 25. Cf. Caswell to Ashe, Oct. 28, in *N. C. St. Recs.*,

XIII. 255.

[547]¹ Hist. Soc. of Pa., Etting Coll., Signers, p. 16; Md. Hist. Soc., Red Book, V. 75 (copy).

² The letter of the Maryland council to the delegates Sept. 17 is in *Arch. of Md.*, XXI. 206. A letter of the same date to the President of Congress, read in Congress Sept. 24, is *ibid.*, p. 205. See nos. 511, 517, 520, 521, *ante*, 552, 553, 556, *post*. No record is found in the *Journals* of the reference of the Maryland letter to a committee, but it is probable that it was referred to the committee on the memorial of Ephraim Blaine, etc. See the resolution of Oct. 2, and cf. the *Journals*, Sept. 8, 10-14, 24, 28, 29.

[548]¹ Library of Congress, Letters to Washington, XXVII. 79.

strated how little Dependance could be placed on such Characters. In Consequence of which the Committee whose Sentiments perfectly corresponded with what they supposed to be yours wrote to Congress representing the Necessity of putting an immediate Stop to such Inlistments and also of purging such Corps as were proceeding to join the Army under your Excellency's Command. In this Representation they did not expressly point out the Count Pulaski's Corps, but as it comprehends a considerable Number of those exceptionable Characters we fully intended to include it in the Reform we then recommended.

This Letter the Committee forwarded to Congress about 2 Weeks after their Arrival at Camp having first shown it to your Excellency and received your Approbation of its Contents. Upon their Return to This City they found nothing had been done with Pulaski's Corps, but our Letter had inadvertently been refer'd to the Board of War who also mistaking the Nature of the Reference had wrote to your Excellency for your farther Opinion on this subject. This Letter your Excellency has answered so as to leave it doubtful whether for some Reasons not express'd you do not mean that Count Pulaski's Corps should go forward as it is, one half of which at least is composed of Deserters and Prisoners, and We are inclined to think that upon a strict Scrutiny there will be found a much greater Proportion. If this is the Case we presume your Excellency has altered your Opinion at least with Respect to this Corps, either upon farther Consideration or upon some particular Circumstances not attended to when we had the Honour of conversing with you on this Subject. Your Excellency will see by this State that the Committee find themselves in an awkward Situation as having represented the Necessity of a Measure founded upon your Opinion, in which some Gentlemen who favour the Employment of Prisoners and Deserters think we were not sufficiently warranted. And of Course the proposed Scrutiny of this Corps has been delayed and will in all Probability finally fail, unless some farther Advice is received from your Excellency on this Head.

We must observe that in all Probability if the Corps should be purged there will remain sufficient to compose the original Establishment of 68 Horse and 200 Foot, As the Count has extended his Numbers far beyond it, by adding what he calls supernumerary Troops and Companies.

The Committee are sensible of the Value of your Excellency's Time but as the Determination of this Matter will probably lead to the Settlement of other Corps of like Character, and they are attended with a very heavy Expence, we trust you will not think a few Moment's unusefully employed on the Subject.²

With the most respectful Sentiments and very sincere Regard We are
Your Excellency's most Obed. Hbbl Servt,

JOS: REED
Chairman

PHILAD. Sept. 30, 1778

² The letter from the committee of arrangement to Congress referred to in this letter to Washington was doubtless that of Sept. 3, read in Congress Sept. 7, and referred to the board of war. Concerning the purging of Pulaski's corps, see the *Journals*, Sept. 21, 29. Washington's reply to this letter, Oct. 6, is in *Writings* (ed. Sparks), VI. 85. See also no. 177, note 2, *ante*. For the constitution of the committee see no. 512, *ante*.

549. EXAMINATION OF WILLIAM CARMICHAEL.¹

[September 30, 1778.]

Wednesda[y] The last question proposed ²

Although I think the house by their determination has put me into a very delicate and to me disagreeable situation, as I am desirous of giving the house every information, I am ready to answer the question, provided the question relates to apprehensions that may have arisen on w[ha]t I conceived to be fact at the time.

A. I do.

Q. What were the instances

A. The instance I allude to particularly was the equipping a vessel of war where I apprehended the public money had been appropriated to private uses

Q. What vessel was it you allude to

A. It was a vessel intended to be equipped in the Mediterranean partly at the expence of the public, and partly of individuals

Q. The name of the Capt and of the vessel

A. The name of the capt intended to be employed was Bell. As there were vessels bought which were afterwards obliged to be given up there was no name given any of them that I recollect

Q. From w[ha]t circumstances do you apprehend that there was a misap[plication?]

A. From this circumstance that Mr. D. having recd. Money from M. Beaumarchais which I conceived to be public money did appropriate it to private uses, that is in the purchase of those vessels as far as regarded individuals

Q. Why did you suppose that to be public Money

A. Because M. Beaumarchais, having as I apprehended advanced before to the public to a large amount, I thought it was likewise on the public credit he advanced this sum

Q. Are you clear there were more vessels than one bought in the Mediter[anean?]

A. There was but one intended to be bought but the person employed bought two as I understood.

Q. Who compelled the giving up of the vessels

A. I understood the State of Genoa had interposed and compelled the purchaser to restore them to the orig[inal] proprietors

Q. What were the names of private persons that were to have been concerned w[ith] the public ³ in those vessels

A. I do not recollect all the private names

[Q.] Do you recollect any

A. I understood M. Beaumarchais was to have been concerned

Q. Do you recollect any other

[549]¹ Papers Cont. Cong., no. 54, vol. II., f. 178; Seventy-Six Society, *Papers in Relation to the Case of Silas Deane*, p. 144; N. Y. Hist. Soc., *Collections: Deane Papers*, II. 493.

² See no. 545, *ante*.

³ These three words were substituted for "in the purchase of", *erased*.

A. I understood that Mr. Thomas Morris was to have been concerned for others, but who those others were I cannot positively say

Q. Was Mr. Deane to have been concerned in his private capacity

A. I do not know that he was

[Q.] Did you understand or were you informed that Mr. D. was to have been concerned in his private capacity

A. I did not receive such information as to induce me to believe he was concerned

[Q.] If you did not believe that Mr. D. was concerned in his private capacity in those vessels what did you mean when you said that you apprehended the public money was applied to private purposes in that instance

[A.] I meant that I thought Mr. D. had applied the public money to supply the deficiencies of the money that others were to have advanced but did not towards the purpose of fitting out these vessels

[Q.] On what grounds did you think that Mr. D. meant to supply those deficiencies

[A.] From conversations with diverse persons and other occurrences at that period

The question being read, On what grounds etc., and the answer thereto, Mr. C. gave this explanation

The idea I meant to convey to the house was this—I apprehended Mr. Deane had applied the money which I conceived to be public to a private use. I judge that I had my information of Mr. Dean's rect. of the money from Mr. Beaumarcha[i]s, Mr. Deane himself and others. But that this information was merely of the fact that he received it, not whether it was public or private money which he had received and so applied.⁴

[Q.] What persons

A. I apprehend Mr. D. and Mr. Beaumarchais were two of the persons that informed me at that time

[Q.] Were the other Commissioners or either of them acquainted with this transaction

[A.] I apprehend Dr. Franklin was acquainted with the fitting out these vessels. I cannot charge my memory whether Mr. A. Lee was then at Paris or not

[Q.] Are you sure that Mr. D. and Mr. B. were two of the persons with whom you had the conversations you before mentioned.

The house having agreed that I should answer from my apprehensions I have answered so, not that I am certain as to the fact. I know from conversations with Mr. B. that he advanced sums of Money. I knew from Mr. D. that he had rcd. sums and from these and other circumstances I apprehended there was to be a misapplication of public money, but I am not certain.⁵

⁴ These two paragraphs are written on the back of the preceding sheet without indication of the place of insertion, but they properly belong at this point. In the printed text the preliminary sentence is, "The last question and answer being read, Mr. C. gave this explanation".

⁵ This paragraph in the Thomson minutes is crossed out as if stricken from the record, but as it is a part of the actual record it is here retained.

[A.] I apprehend from the nature of the transaction it must have been these persons but I cannot be sure

[Q.] Had you reason to believe from conversations with other persons or other occurrences that Mr. Deane applied public money to supply the deficienc[i]es of those who were to have advanced but did not towards the purpose of fitting out those vessels in the Mediterranean.

[A.] I cannot at present absolutely recollect, but probably there might have been other occurrences at the time which I do not now recollect that induced me to apprehend an application of the money to supply of those deficiencies

[Q.] Do you know whether the particular sum you allude to was charged by Mr. Beaumarchais to the united States

[A.] Since my arrival in this country I have understood from Mr. de Francy the agent of Mr. Beaumarchais that this particular sum was lent by Mr. B. to Mr. Deane on his private account

Mr. Francy is in this country and he can give more full information ⁶

[Q. By Mr. Adams. Whether from conversation with other persons or from other occurrences, he had reason to believe Mr. Deane had advanced or was to have advanced moneys to make up these deficiencies?

A. I cannot at present absolutely charge my recollection with what I had reason to believe at that time—probably there might have been other occurrences which may have induced me to apprehend a misapplication of the money upon that occasion.

Q. By Mr. Duer. Do you know that the particular sum you allude to was charged by M. Beaumarchais to the United States?

A. Since my arrival in this country, by conversation with the agent of M. Beaumarchais, I have reason to believe the particular sum was charged by M. Beaumarchais to Mr. Deane's private account. M. Francis is now in the country and can answer the question.]

[Q.] Did you know or believe that Mr. D. applied the public money to the paymt. of such parts of those vessels as were to have been the property of the public

[A.] I do not know, I believe that Mr. D. wd. have applied the public money to that purpose but cannot say that he did

Ordered to withdraw

To have notice at what hour to attend on friday after noon ⁷

550. HENRY LAURENS TO THE GOVERNOR OF NEW JERSEY
(WILLIAM LIVINGSTON).¹

1st October [1778.]

Dear Sir

. . . . I don't know any thing more troublesome than the conversation of those people who are eternally pestering one with recitals of their dreams

⁶ In the printed text these last two questions and answers vary somewhat from the Thomson minutes, particularly in showing that the questions were by Adams and Duer, respectively, and are therefore given below as they there appear.

⁷ See the *Journals*, Sept. 30, Oct. 5 (pp. 983, 984), and no. 554, *post*.

[550]¹ S. C. Hist. Soc., Laurens Letter-Book, Misc., 1777-1782, p. 313.

this does not however aim a blow against all dreams. within this exception I trust that a dream of my own which will appear in Dunlaps next *Packet* will be viewed by your excellency.² I mentioned this because New Jersey is the grand subject and you may be surprised at the presumption of any Man the Governor excepted in dreaming about New Jersey the impressions of the visions alluded to were twice strongly made on my mind. I regarded the second as an high command and determined it my duty to reveal the whole to that part of the world for whose benefit it seemed principally designed but I have given strict orders to my Herald to conceal the dreamers name. after this intimation your Excellency will be in that part of the Secret which I mean to go no further.

Inclosed with this your Excellency will receive a Copy of a New address from one of the Gentry at New York and of a sort no answer which Congress thought proper to return. look Sir at the date of the extract from Lord George Germain's letter, compare it with the dates of the late requisitions and remonstrances from Messrs Carlisle and Company on the same subject. Is it not highly probable when those papers were fabricated the letter from whence this extract was made was in the hands of that Company Is it not therefore to be presumed they are now in possession of "*a distinct and explicit ratification by the Court of Great Britain*" under special orders prohibiting the "due notification to Congress" until every Stratagem shall have failed.³ If it be true as I believe it is that the French forces are scouring the British West India Islands and that Admiral Keppell has not beat the Brest Squadron our troublesome inmates on this Continent must soon leave us in more quiet possession of our own beds.

551. ROBERT MORRIS TO WILLIAM BINGHAM.¹

PHILADA. Octr. 1st 1778

William Bingham Esqr.

Sir.

. . . . The other parts of your Letter of 20th April are I think answered by what I have already wrote therefore proceed to the next

² Laurens's dream, signed "An Old Man", appeared in the *Pennsylvania Packet* Oct. 3, and was reprinted in the *New Jersey Gazette* Oct. 14. Livingston had written to Laurens Sept. 17, enclosing what he characterized as a dream of his own (Sedgwick, *Life of Livingston*, p. 305). The dream was in fact a comparison of the conduct of the New England troops under Sullivan in the Rhode Island expedition with that of the New Jersey militia in the recent campaign under Washington, closing with a complaint that while Congress had (Sept. 10) passed a resolve expressing their high sense of the patriotic exertions of the New Englanders, who had actually gone off in the midst of the campaign, they had not manifested any such sense of the patriotic exertions of the New Jersey troops, who had fought the campaign to a successful completion. Laurens's dream was merely Livingston's in an amended form, of which Livingston wrote, Oct. 9, "I am much more pleased with the old man's dream amended, than I was with the original, and the conclusion I like extremely" (*ibid.*, p. 308).

³ See the *Journals*, Sept. 28. Clinton's letter to Laurens, Sept. 19, is in Almon's *Remembrancer*, 1778-1779, p. 150, together with Thomson's answer, as prescribed by Congress. Copies of these letters were transmitted by Clinton to Germain Oct. 2 (*ibid.*, p. 49).

[551]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia.

which is dated 6th May and proposes a plan for making our Loan Office Certificates negotiable in foreign Countries. In their present form this is not practicable and as there is only one Certificate for each sum and that payable to the Bearer, you will be sensible the Exportation of them would be attended with as much Risque as Merchandise. it may probably surprise when I tell you, that, forseeing the advantage which would result to Commerce and to this Country from such Certificates as you mention, I proposed them above a Year ago in Congress when the plan met a most violent Opposition and was finally rejected² therefore that Scheme will not do at present altho' I believe it might be brought to bear some little time hence as the Sentiments of Certain Gentn. on these Subjects seem to be a good deal changed. . . .

552. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA 4th Oct. 1778.

Sir:

By this express your Excellency will receive the 400,000 dollars mentioned in my last. Should there be a necessity for a further supply for marching the 3000 Militia to South Carolina, I could wish you would be pleased to mention it to your Delegates, and unless the Temper of Congress should suddenly change, I believe it may be procured.²

Congress have found it absolutely necessary to continue the embargo, until the last day of January, finding it almost impossible to supply the army and French fleet with bread, unless it can be taken out of the hands of Engrossers and Monopolizers. A request is accordingly made to the States for this purpose, which the President sends on by Express. how far this may affect our State I know not. no supply of bread is however expected from that Quarter.³ . . . The circumstances of the Enemy still in the opinion of Congress seem to indicate an evacuation of their Ports on the Continent. 'Tis imagined some of their Troops will go to the West Indies, some to Europe, some to Halifax, and some to Quebec. That the French are already in possession of the Island of Dominica, we have pretty good authority for. . . .

² Probably in connection with the report brought in June 11, 1777, by the committee of the treasury and the committee of ways and means, proposing the drawing of bills of exchange on the commissioners in Paris.

[552]¹ *N. C. State Recs.*, XIII. 239, XXII. 985.

² See nos. 505, 523, 542, 546, *ante*. Cf. nos. 572, 574, 577, 579, *post*; also the *Journals*, Oct. 20.

³ See the *Journals*, Oct. 2. Cf. no. 547, note 2, *ante*, and nos. 553, 556, *post*. Among the Laurens Papers in the South Carolina Historical Society is a transcript of the record of proceedings Oct. 2 relative to the embargo, on the back of which Laurens has made this memorandum: "Votes ay and no on the power of Congress to lay a gen: Embargo—2d Octob actually taken the 3d late afternoon."

553. RICHARD HENRY LEE TO THOMAS JEFFERSON.¹

PHILADELPHIA October 5 1778

Dear Sir,

. . . . I have a very high opinion of the republican principles and of the ability of Mr. Mazzie. And I think that if Mr. Maddison were sent to Genoa with him for Secretary we might have a good chance to succeed in borrowing there one of the millions, five of which are absolutely necessary to sustain, and restore our falling currency. To cultivate a good understanding with the nations in the south of Europe is undoubtedly wise policy, and may produce the most profitable consequences. These affairs will come presently under the consideration of Congress, when I shall not forget the useful possessions of Mr. Mazzie.² There is nothing that threatens so much injury to ou[r] cause at present as the evil operation of Engrossers. If something decisive is not quickly done by the Legislatures to stop the progress of Engrossing, and to make these Miscreants deliver up their ill gotten collections, the American Army must disband, and the fleet of our Allies remain in Boston Harbor. I know the root of this evil is in the redundance of money, but until the latter can be reduced some measures are indispensable to be taken with the Engrossers. You will see the expedients devised by us.³ A more radical cure will follow shortly, in a proposition of Finance now under consideration.

554. EXAMINATION OF WILLIAM CARMICHAEL.¹Monday, Octr. 5, 1778.²

[Q.] Are you sure that the public had any share in those two vessels wch were purchased in the Mediterranean

[A.] I apprehended at the time that they had and my reason for apprehending was that the captain had a continental Commission, I thought they were on the same footing as those fitted out at Dunkirk

[Q.] Were you any wise concerned in equipping Capt. Cunningham from Dunkirk

[A.] I was no ways concerned in the equipmt. I was sent by Mr. Franklin and Mr. Deane to facil[it]ate the departure of that vessel from the port.

[Q.] Was Capt. Cunninghams vessel fitted out at Dunkirk more than once

[A.] Capt C. commanded two vessels from that port, one a Lugger, the other a cutter.

[Q.] Were they fitted at the same time

[A.] At different times

[Q.] Were they or either of them public or private property

[553]¹ Library of Congress, Jefferson Papers, second ser., LI. 24; *Letters* (ed. Ballagh), I. 437.

² Philip Mazzei. A sketch of him is in Appleton, *Cyclo. Am. Biog.*

³ See the *Journals*, Oct. 2; cf. nos. 547, 552, *ante*, 556, *post*.

[554]¹ Papers Cont. Cong., no. 54, vol. II., f. 184; Seventy-Six Society, *Papers in Relation to the Case of Silas Deane*, p. 147; N. Y. Hist. Soc., *Collections: Deane Papers*, II. 497.

² See no. 549, *ante*.

[A.] I apprehended that each of them were part public and part private but I do not certainly know

[Q.] When you were sent to dispatch these vessels did you consider yourself as acting for the public or for private persons

[A.] Every service I performed for the commissioners I considered as done for the public, and so I considered in this instance

[Q.] What reason had you to consider these vessels as part private property

[A.] From conversations I had at the time particularly with Mr. Hodge I had reason to apprehend he was concerned

[Q.] Had you reason to suppose that Mr. Deane was concerned or any of the Commrs.

[A.] I did apprehend at that time that Mr. Deane was concerned in the first equipment

[Q.] What reasons induced you to apprehend that Mr. Deane was concerned in the first equipmt.

[A.] I cannot recollect the reasons that induced that belief but I know that I did at the time apprehend he was concerned.

[Q.] At what time was the first equipment made, what year and w't month

[A.] At present I cannot precisely recollect. I think it was in the spring 1777. The capture of the Harwich packet will nearly point out the time of the sailing

[Q.] Do you know if any and what instructions were given to Capt Cunningham respecting that cruise

[A.] I think there were instructions given but I cannot be particular what those instructions were

[Q.] Do you recollect whether those vessels or either of them were ordered to cruise on the coast of England

[A.] I do not know particularly the instructions given to the capt of the two vessels. I believe the object of the cruise was for one of the Harwich packets³

[Q. By Mr. Lee. Do you know that the vessels or either of them, were ordered to cruise on the coast of England?

A. I speak to the first vessel, I believe the object was to cruise for one of the Harwich packets. I myself gave directions.]

[Q.] Was this equipmt. at Dunkirk made with or w[ithou]t the knowledge of the French ministry

[A.] I cannot answer as to the knowledge of the french Ministry

[Q.] Did you ever hear that the french Ministry objected to it.

[A.] I know they gave proofs that it did not appear to be agreeable, for the capt was imprisoned upon his return to Dunkirk

[Q.] Did you hear that the french Ministry objected previous to the sailing

[A.] I do not know that they knew of the first vessel previous to her sailing, therefore they could not object to the equipmt.

³ This question and answer, as they appear in the printed text, vary somewhat in substance as well as in form, and are accordingly added in square brackets. The "Mr. Lee" who asked the question was Richard Henry Lee.

[Q.] Did you ever hear that the french Ministry offered to pay the expence of equipping those vessels or either of them to prevent their sailing

[A.] Of the first vessel I never heard that they did, of the second I heard after she had sailed that they had given orders to pay the expence to prevent her sailing

[Q.] Did you understand that much diligence was used to push these vessels or either of them out of Dunkirk to prevent the effect of the measures the fr. Ministry had taken to stop their sailing

[A.] With respect to the last I believe all possible diligence was used to accelerate her departure to prevent measures from being taken by the Ministry to stop her sailing

[Q.] Did you ever see or hear of a letter or letters written by the Count de Vergennes to Mr. Grand or the Commrs. complaining of this measure

[A.] I have heard that there was such a letter but I do not know whether to Mr. Grand or the Commrs.

[Q.] Do you know whether the Comrs. had recd. any order from Congress or the Secret Com'ee relative to the fitting out of these two vessels

[A.] I do not know whether they had recd. orders relative to the fitting out of these two vessels

[Q.] Did you ever hear that they had

[A.] I never heard that they had recd. orders to fit out these two vessels particularly. I heard that they had general orders to fit out vessels.

[Q.] Do you mean vessels of force to cruise agt. the enemy

[A.] I do; because they recd Continental commissions for the captains.⁴

555. SAMUEL HOLTEN, DIARY.¹

[October 5, 1778.]

5. Congress were informed that the enemy were endeavoring to distroy the vessels and stores at little egg harbour in the State of the Jerseys.

556. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA (RAWLINS LOWNDES).¹

6th October. [1778.]

Dear Sir

I beg leave to refer to my last private of the 20th Ulto by Millet.

This will be delivered by Lieut. Colonel Ternant who is ordered by Congress to Act as Inspector of the Troops of the United States in South Carolina and Georgia.² . . .

⁴ Oct. 14 Carmichael was directed to attend again on Monday, Oct. 19, for further examination, but the *Journals* contain no record of such examination. A month later (Nov. 19) Carmichael took his seat in Congress as a delegate from Maryland, having been elected Nov. 13 (see the *Journals*, Nov. 18). In a letter to Franklin Oct. 30 (*Am. Phil. Soc., Franklin Papers*, XII. 95; *Franklin's Works*, ed. Sparks, VIII. 306 n.), which he sent by the hand of Lafayette, he wrote particularly of the dangerous parties in Congress and in the army.

[555]¹ *Essex Inst. Hist. Colls.*, LV. 173.

[556]¹ *S. C. Hist. Soc., Laurens Letter-Book, 1777-1782*, p. 217.

² See the *Journals*, Sept. 25; cf. no. 527, *ante*.

In a Letter which I had the honor of writing to Your Excellency the 5th Instant as President of Congress is contained a late Act for continuing the present Embargo, and for preventing engrossing Provision.³ I shall not trouble you Sir with my opinions on the several branches of this Act but barely remark that when the power of Congress to lay an Embargo was made a question and the voices of each Member called upon, there appeared fourteen in the negative, twelve affirmative—six States affirmative five negative; Of those six affirmative, there were three States represented by Units. I am persuaded my Countrymen will Act on this great occasion as shall appear to be for the general good of these United States. If I may offer my sentiments Congress is not vested with sufficient power to lay a general Embargo and it would be dangerous to vest them with such power in our present system. the recent Act I humbly conceive marks incompetency, nevertheless I think it will promote the public good to restrain the exportation of Provision until January, and therefore I wish there could be a general restraint excepting of such quantities as should be found sufficient for re-equipping the fleet of Count d'Estaing, and a necessary supply to our fellow Citizens in the Eastern States under these indulgences and thro the artifices of cunning Men I fear the honest Citizen and fair trader will bear a heavy burthen. So far as respects my own interest altho' I am persuaded the intended prohibition will in several States be evaded, and have doubts whether any regard will be paid to it in Pennsylvania and Delaware I am willing to submit articles of which the Enemy stand more in need than of either flour or Rice. I mean Tar, Pitch and Turpentine remain unrestrained. I offer'd on this head as many intimations as my situation in the Chair would permit, but without effect. . . .

557. HENRY LAURENS, MEMORANDUM.¹

[Note of Gérard:]

It is reported that the State of South Carolina in sending some Gentlemen to France has instructed them 1st to purchase a certain number of Vessels, 2nd to raise a certain number of troops to be in the pay and immediate service of that State.

It is apprehended that this step executed by a single State in contradiction with the plan of Confederation, could hurt in Europe the Idea of the uniformity of the Governments to rely on Congress for the exertion and application of the common forces and it might be misunderstood or misrepresented to the prejudice of the confidence and the consideration Congress has so justly acquired.

If the concern for all what is conducive to the honor and Credit of the United States may apologize for a reflection offered on that subject, I should venture to say that the best method to prevent any inconveniences is perhaps to send immediate Orders to the Minister of the United States in France, to countenance the demands of South Carolina.²

³ See the *Journals*, Oct. 2; cf. nos. 462, 492, 511, 517, 520, 521, 534, 547, 552, 553, ante.

[557]¹ S. C. Hist. Soc., Laurens Papers, vol. XXVI.

² This note of Gérard was evidently designed for the attention of the South Carolina delegates only, and it does not appear from the *Journals* whether Laurens ever

Monsr. Girard having received information as above communicated his sentiments. I think it improper to apply to Congress before I am informed of the facts from authority in South Carolina. I shall nevertheless consult my Colleagues, and Act by their advice. Monsr. Girard treats the subject with great seriousness.

HENRY LAURENS

Philada. 6th October 1778

558. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE GOVERNOR OF NEW JERSEY (WILLIAM LIVINGSTON).¹

6th October [1778.]

Sir

. . . . Inclosed is a Resolve of Congress requesting Your Excellency to obtain information of the Enemy's treatment of the late Lieutenant Colonel Baylor and his Party, who were cut off in New Jersey. It has been represented that the unhappy Colonel, several of his Officers, and many of his Troops were Bayonetted in cold blood, should this be proved, I apprehend suitable retaliation will immediately follow a refusal of satisfaction.²

559. ROGER SHERMAN TO THE GOVERNOR OF CONNECTICUT (JONATHAN TRUMBULL).¹

PHILADELPHIA, Octo. 6, 1778.

Sir,

I have been absent about six weeks on the business of arranging the army, which, so far as it is accomplished, has occasioned less dissatisfaction than I feared it would. Some good officers are excluded for want of room which are recommended to Congress for such notice and provision as shall be thought reasonable.² Major Wells did not apply untill the arrangement of the Connecticut officers was made, so that he could not be admitted. It is customary in other States not to fill the places of officers in captivity, but to promote them according to their rank as if present.³ I

brought the matter before Congress. It probably pertained to the mission of Alexander Gillon. See the *Journals*, Mar. 30, 31; also Lowndes to Franklin, July 18, *Franklin's Works* (ed. Sparks), VIII. 287; D. E. Huger Smith, "Commodore Gillon and the Frigate *South Carolina*", in *S. C. Hist. and Geneal. Mag.*, IX. 189; and McCrady, *South Carolina in the Revolution, 1775-1780*, pp. 217-219.

[558]¹ Library of Congress, President's Letter-Book, II. 99.

² See the *Journals*, Oct. 6, 8, 26, and no. 577, *post*. The repeal, Oct. 8, of that part of the resolution of Oct. 6 relative to the exchange of the survivors of Baylor's party, appears to have been in consequence of a letter from Washington, Oct. 3, read in Congress Oct. 7 (*Writings*, ed. Ford, VII. 203, ed. Sparks, VI. 75). In transmitting this act of repeal to Col. John Beatty, commissary-general of prisoners, at Princeton, Laurens wrote: "Congress having received further information respecting the number of survivors of the late Colonel Baylor's Party have judged it necessary to repeal their Act of the 6th Instant for an immediate exchange" (President's Letter-Book, II. 102). An account of the affair was given to Washington by Col. Otho H. Williams in a letter of Sept. 28 (*Letters to Washington*, ed. Sparks, II. 211, with the date Sept. 26), and Colonel Baylor himself, who was only wounded, wrote Washington an account of it Oct. 19 (*ibid.*, p. 222). Col. John Beatty was the bearer of this letter.

[559]¹ Mass. Hist. Soc., *Collections*, seventh ser., II. 284.

² Cf. nos. 565, 586, *post*.

³ Cf. no. 631, *post*.

shall take the first opportunity to transmit to your Excellency a copy of the arrangement of the Connecticut officers.

I returned here last Wednesday evening, and Majr. Adams being unwell set out to go home last Saturday. Colo. Dyer and Mr. Elsworth are not yet arrived; I hope they are on their way, for it is of importance to have a full representation. Business goes on slow. The important matters of the currency, cloathing department, and treasury arrangement are not yet finished, though believe the last is compleated, except appointing the officers.⁴ Cloathing the army will doubtless be referred to the particular States to supply their own troops. The Continental cloathing on hand, and what may hereafter arrive, will be distributed in some just proportion.⁵

There is a report lately made on the subject of finance, not acted upon, which I think will not be an adequate remedy for the evils. I think a reasonable time ought to be fixed for sinking all the outstanding bills, and sufficient funds by annual taxes provided for bringing them in. That would fix their credit by letting the possessors know when and how they are to be redeemed, and would in some good measure do justice to the public, as the bills would be collected in at about the same value they were issued out. The first part of the time the people would obtain them at a cheap rate to pay their taxes, and they would gradually appreciate till restored to their original value. But some provision ought to be immediately made for doing justice to creditors in payment of old debts and salaries stated in lawful money. The law making the bills a tender when the same nominal sum was of equal value to lawful money was reasonable and necessary, but now is become the source of great injustice. I think lawful money should be the standard, but an equivalent in bills should be accepted in payment. The committee of commerce do make a discount in payment of sterling debts. I hope public faith will be inviolably observed in the redemption of the bills at their full value, at the period fixed for that purpose, but that will not prevent their depreciation in currency in the mean time while so great a quantity is in circulation.⁶

560. JOSIAH BARTLETT TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

PHILADELPHIA October 6th 1778

Sir

By the vote of the Legislature of our State of the 19th of August last, I find it will Require two Delegates to Represent the state after the first of November next. The reason of which I suppose was that the[y] Expected (as I Did) that the Confederation would be Ratified by all the

⁴ See the *Journals*, Sept. 26, Oct. 13, 29, 31, Nov. 3. Cf. nos. 567, 589, 617, *post*.

⁵ See the committee's report in the *Journals*, Oct. 9. An ordinance for regulating the clothing department was passed Mar. 23, 1779. Cf. the *Journals*, Jan. 1, Aug. 19, 1778.

⁶ Cf. Sherman's remarks on the subject of finance in a letter to Benjamin Trumbull, Aug. 18, an extract of which is found in Boutell, *Life of Sherman*, p. 106. The report at this time under consideration is found in the *Journals* under Sept. 19.

[560]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia.

states so as to take place at that time. But as neither Jersey, Delaware nor Maryland have yet agreed to it, and as we have been informed within a few Days that the Legislature of Maryland is adjourned to December, it is now Certain it Cannot take place so soon as was Expected and there is a probability at least that it may not take place for a Considerable time to Come; ² I would therefore Earnestly Recommend it to the General Court as soon as they meet, to pass a vote authorising any one of their Delegates to Represent the state in Congress until the Confederation is Ratified by all the States; and that the vote may be forwarded to your Delegates here as soon as possible The utility (if not necessity) of such a vote is so obvious that I need not say anything in favor of it, and only Request that it may be attended to.³

Your Letter to the President of the Congress of the 18th of September, was handed me by Colo Samuel Folsom who arrived here the 4th Inst: and was yesterday Read in Congress. I have obtained a Grant for the State of one Hundred and fifty Thousand Dollars to be sent you out of the Treasury here, also an order on the Loan office in New Hampshire for fifty Thousand Dollars and am in hopes I shall procure the money so as to Dispatch Colo Folsom in a few Days ⁴

Your letter to me by Col: Folsom I have also Receivd

You will find in the inclosed newspaper an additional act of Congress Relative to wounded and Disabled officers and soldiers ⁵

I am Sir with the greatest Respect your most obedient Servant

JOSIAH BARTLETT

561. CYRUS GRIFFIN TO THOMAS JEFFERSON.¹

You will be good enough my dear Sir, to excuse this Letter. There are but few Men indeed with whom I could wish to be thus candid. It appears to me that Congress will shortly be dissolved. If the large Emissions of Money, and visionary Expeditions do not bring forth our destruction, I greatly fear that *Party* will complete the matter. Congress exhibit not more than two or three Members actuated by Patriotism. Great questions are carried every day in favor of the Eastward, and to the prejudice of the southern states. Great questions are now upon the Carpet and if determined in the affirmative will do excessive damage to Virginia and Maryland particularly ²—at present we are under secrecy—perhaps in a little time I shall think myself obliged to quit Congress. I will not sit in a house whose proceedings I cannot assent to with honor, nor is it

² Cf. nos. 424, note 4, 456, *ante*, 567, 599, 630, 638, *post*.

³ Cf. nos. 423, 507, *ante*, 644, *post*.

⁴ See the *Journals*, Oct. 5. Cf. no. 507, *ante*. In a letter of Oct. 10 Bartlett mentions sending the money by Colonel Folsom. A draft or autograph copy of the letter is in Dartmouth College, Bartlett Corr., and another, with variations, is in Mass. Hist. Soc., C 81 A 45.

⁵ See the *Journals*, Sept. 25.

[561]¹ Library of Congress, Jefferson Papers.

² The principal question at this time on the carpet was that of finance. The report of a committee on the subject is found in the *Journals* under Sept. 19, and some parts of it were agreed to the day this letter was written. See no. 559, *ante*.

in my abilities to oppose them with success. I value most what our great Politicians value least. Congress are at present a Government of *Men*. It would astonish you to think how all affairs proceed upon the interested Principle: Members prostituting their votes in expectation of mutual assistance upon favorite Points. I am apprehensive that in get[t]ing free from oppression in one quarter we are likely to establish it in another; by avoiding one set of Plunderers we are certain to fall into the clutches of a still more dangerous set. I am sorry our good Friend Harvey is about to leave Congress; he is a valuable man in times like the present, a man of great Virtue and boldness of Spirit.³ If the Land office should be established, put him at the head of it; his abilities and honesty will be highly necessary in that Employment. . . .

As yet Spain have taken no part to our advantage, indeed Arthur Lee still remains at Paris. The court of Berlin have refused William Lee, the Commissioner of Congress to that quarter: He is now gone to Vienna, the most accomplished Metropolis in the World. We are plagued to death with quarrels and recriminations relative to our Commissioners abroad; these men will involve the Continent in perdition. It is absolutely necessary that Deane should be sent over to Europe for the most valuable purpose in the world, but some Gentlemen are determined to ruin an innocent Character, notwithstanding he alone has the great merit of concluding that valuable Treaty with the Minister of France.⁴ . . .

PHILADELPHIA Octo. 6th 78

562. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

9th Octr. [1778.]

Sir

. . . . I have communicated the Extract from Count d'Estaing's letter, to Monsr. Girard.² Congress have no objection to granting leave of absence to the Marquis of Vienne.³

563. HENRY LAURENS TO WILLIAM HEATH.¹

10th October [1778.]

Sir,

. . . . Captain Gilbert of Massachusetts and Captain Holmes of New Hampshire, having inform'd me that during their late captivity at New York several Officers of the Convention troops had come into that City

³ See no. 522, *ante*.

⁴ Cf. no. 564, *post*.

[562]¹ Library of Congress, President's Letter-Book, II. 103.

² See the *Journals*, Aug. 28.

³ The *Journals* contain no record of such action at this time, but Congress did vote the leave Oct. 27, on request of Lafayette.

Laurens wrote to Washington Oct. 13, "My last trouble to Your Excellency was dated the 9th by Messenger Dodd who was detained by bad weather and a little management of his own until yesterday" (President's Letter-Book, II. 108).

[563]¹ President's Letter-Book, II. 103; Mass. Hist. Soc., Heath Papers, XI. 161.

upon Parole, some on furloughs for no less than six months obtained by such Officers from the Commissary of Prisoners or from some other Person pretending to have authority at Boston, and that Gold had been paid in Boston for these illicit Permits; Congress have directed me to give you this intimation and to request you will immediately make a strict enquiry into the fact, that you will also make a Return of all the Convention troops under your charge, Officers and Men, and account for Absentees.²

564. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADELPHIA Octobr. 11, 1778.

My dear Sir,

In the inclosed News paper you will see certain Queries calculated to impress on the Minds of the People the Idea of Dr. Lee's having held a criminal Correspondence with a Person known to be at the same Time in the Service and under the Direction of the British Ministry.² I hope it will not be in the Power of this Querist to do essential Injury to so eminent a Patriot; who took the earliest and most decisive Part in Opposition to the Measures of the British Court, and whose invariable Attachment to the Liberties of our Country, never was, and I think cannot be justly suspected. Yet it may be necessary to guard against it; for I plainly tho' silently saw, when I was last in Boston, a malevolent Disposition towards Dr. Lee, in a certain Gentleman,³ who, till he is better known, will have a great Influence in the Massachusetts State. The Instance you may recollect, as you were knowing to it in the Time of it. I then supposd it to proceed from his having strongly attachd himself, and for a Length of Time to a Circle of Men, and imbibd their Prejudices, who are far remote from the political Connections of Dr. Lee, and who differ widely from them in the Adoption of publick Measures regarding either Politicks or Morals. You may remember that some time ago, in a Letter I informd you, I should have much to say to you about Mr. D,⁴ of whom I had long formd my opinion and had not seen Reason to alter it. I have hitherto said nothing to you about him; because I knew it would lead me to Subjects of great Delicacy, which by being exposd to the Enemy, as they would be if my Letters should fall into their hands, might disgrace or otherwise be prejudicial to our publick Affairs. This Caution prevents my communicating to you many things, of which I wish to

² Cf. the *Journals*, Oct. 5, and see no. 593, *post*.

[564]¹ Mass. Hist. Soc., Warren MSS.; *Writings* (ed. Cushing), IV. 68; N. Y. Pub. Lib., Samuel Adams Papers.

² In the *Pennsylvania Packet* of Oct. 10 appeared a communication, signed "Querist", asking six questions concerning the connections between Dr. Berkenhout and Arthur Lee. The item is reproduced in the N. Y. Hist. Soc., *Collections: Deane Papers*, III. 2. In his "Address", published in the *Packet* Dec. 5 (see no. 635, *post*), Silas Deane states that he was the author of the queries. Cf. nos. 487, 498, 500, 502, *ante*, 566, 658, 662, 669, 671, 697, *post*.

³ The allusion may be to Hancock, though it seems doubtful.

⁴ Silas Deane. See no. 421, *ante*. Cf. nos. 401, 439, 524, 528, 529, *ante*, 566, 584, 635, *post*.

unburthen my Mind. Mr D was originally taken up by a secret Committee of Congress appointed to procure from France the necessary Supplies for carrying on the War. By them he was sent to that Country in the Character of a mere Merchant. About that Time another Committee was appointed whose Business was to form a Correspondence abroad, and particularly to feel the political Pulse of France, in Hopes of forming a Connection with that powerful Nation. This Committee also took up Mr. D; and he carried Letters from Dr. F to some Men of Eminence, which might enable him in some Measure to penetrate into the Disposition of the Court of France towards America. With these Views Mr. D was sent to France. He was to be an Agent to the secret Committee of Commerce. To the secret Committee of Correspondence he was to be the Inquisitive Man or Intelligencer. He had no political Powers whatever; ⁵ and yet he sent us over Majors, Colonels, Brigadiers and Majors General in Abundance and more than we knew what to do with, of his own creating, till at length Mr. Du Coudray arrivd, with the Commission (or an Agreement signd by Mr. D in Behalf of the United States that he should have one) of a Major General with the Command of our Artillery; together with his Suite of about seventy Gentlemen of different Ranks. All this was done, as I said before, without any Authority. Congress was exceedingly embarrassd; being loth to discredit their Commissioner (for before the Arrival of M. Du Coudray he was commissiiond joyntly with Messrs Franklin and Lee). I say being loth to discredit him by disannulling the Convention, and at the same time judging it dishonorable as well as unsafe for America to ratify it. This however was agreed to in a Committee of the whole House. Not having the records before me, I do not recollect whether it was confirmd in the House; but Du Coudray soon after died, his Suite or most of them returnd with Gratifications, and Mr. D was recalled. After which he was directed to return speedily and give an Account of the State of our Affairs in Europe. This has given an Occasion to his Friends to hide the real Reason for his being recalled, and to hold up in the publick News Papers an ostensible one, supposing it to be more for his Reputation.⁶

Our Affairs even in France wore a gloomy Aspect during last year, until they receivd the News of our Army at the Northward being completely victorious. This was the decisive Language which commanded our Success in the Cabinet of France. To this we are indebted for the Acknowledgment of our Independence, the Treaty and the french Fleet. Mr. D is complimented with having procurd this Fleet, and his "spirited Exertions" like those of other *Great* Men, have been puffd off in the News Papers. Unthinking Men may be amusd with a Golden Snuff Box, etc. etc; after all they are mere Things of Course, especially in the honey Moon of National Matrimony.

Since Mr. D's Return, as well as before, there have been suggestions of his Misconduct in France, and among other Things of his misappli-

⁵ See vol. I., nos. 532, 534, 535, vol. II., nos. 178-180.

⁶ See vol. II., nos. 768, 769.

cation of publick Moneys. I cannot say whether these Suggestions are well grounded or not. Congress is devoting every Hour to an Enquiry into the Grounds of them which can be spared from an Attention to other great Affairs, particularly the Finances. The Conduct of an honest Man will bear the strictest Scrutiny. If the Friends of Mr. D have any Suspicions of his being tardy, I am inclin'd to think they will be more apprehensive of a Detection from the Vigilance and Integrity of Dr. Lee than any thing else. On such Occasions it is not unusual for the most unblemish'd Characters and sometimes even the Lives of the best of Men have been sacrificed, in order to prevent "Transactions dark and mysterious" from being brought into open Light.

I have written this Letter in Confidence and shall continue the Subject when I can find Leisure.⁷

Your last was dated the 2d of Sept.⁸

Adieu.

565. JOSEPH REED, MOTION.¹

[October 12? 1778.]

Resolved—

That Congress have, and of Right ought to have a Power to dismiss any Officer from their Service whenever they shall deem his Continuance therein incompatible with the publick Intrests and that this Right being expressed on the Face of the Commission which is granted during the Pleasure of Congress excludes any reasonable Complaint of Injustice and Hardships whenever this Right is exercised.

[Endorsed:] Mr. Reeds Motion on the right of Congress to dismiss their officers at pleasure.²

566. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADA. Oct. 14, 1778.

My dear Sir,

In my last² I inclosd a News Paper containing certain Queries calculated, as I conceive, to blast the Reputation of a truly virtuous Man. Dr. Lee and Dr. Berkenhout, mentiond by the Querist, were formerly fellow Students at Edinburg; and as both were esteemd learned in their Profession, it is not improbable that on that Account they kept up their

⁷ See no. 635, *post*.

⁸ See no. 518, note 5, *ante*.

[565]¹ S. C. Hist. Soc., Laurens Papers, Congressional, 1779, XXVII.

² There is no indication on the manuscript of the date of this motion, nor has any record of it been found in the *Journals*, but it was doubtless made in connection with the consideration of the report of the committee of arrangement (of which Reed was a member), which was brought in Oct. 9, taken into consideration Oct. 12, and adopted, with modifications, Nov. 24. The fact that Reed left Congress in the latter part of October is evidence that the motion must have been made in the earlier stages of the discussion. It may possibly have been offered at the time of the presentation of the memorial of the officers, Oct. 20. See no. 586, *post*; cf. no. 559, *ante*.

[566]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 225; *Writings* (ed. Cushing), IV, 72 (with variations).

² No. 564, *ante*. See also no. 635, *post*.

Acquaintance while both continued in Great Britain. Dr. Lee, you know was requested by Congress to go over to France, where he was made a joynt Commissioner with Messrs. Franklin and Dean. It is possible that a Correspondence m't afterwards have been carried on between them; but from the Knowledge I have of Dr. Lee, I will venture to pledge my self it was not a *criminal* one as the Querist would seem to insinuate, and if Dr. Berkenhout was in the Service and under the Direction of the British Ministry, which by the way is but bare Suspicion here, it must have been utterly unknown to Dr. Lee. I am rather inclind to think it is a Creature of the Querist's own Fancy, or an artful Suggestion thrown out to the Publick, to serve the Cause of our Enemies. America should beware how she suffers the Character of one of the most able and vigilant Supporters of her Rights to be injurd by Questions designd to impute Slander without any Reasons offerd why such Questions should be made. It is the old Game of mischievous Men to strike at the Characters of the Good and the Great, in order to lessen the Weight of their Example and Influence. Such Patriots as Lord Russell and Algernon Sydney of the last Age, have been of late falsely and audaciously chargd, by a Scotch Tool of the most nefarious Court in Europe, as having receivd Bribes from the Ministers of France;³ and it is not strange that a Gentleman whom the leading American Whigs have placed high in their List of Patriots, who has renderd the most laborious and important Services to our Country in England, France and other Parts of Europe, who has so often and so seasonably developed the secret Intrigues and Practices of wicked Men, and who at this Time stands high in the Esteem and Confidence of the Congress, and when it is considerd in Addition to this, that there are too many disaffected and insidious Men still lurking among us, it is by no Means a strange thing to hear it insinuated by an anonimus Writer, that Dr. Lee also is chargeable with a criminal Correspondence with the Enemy, without even the Shadow of Reason.

You may publish this if you think proper. I receivd your favor of Sept. 30th. It contains very interesting Matter which shall have my Attention at a more leisure Hour than the present.⁴ In the mean time

Adieu my F[rien]d.

S A

567. THE CONNECTICUT DELEGATES TO THE GOVERNOR OF
CONNECTICUT (JONATHAN TRUMBULL).¹

PHILADELPHIA, Octo. 15th, 1778.

Sir,

We were honored with your Excellency's letter of the 5th instant. Your letter to Congress and the memorial accompanying it are referred to

³ The allusion is to Sir John Dalrymple's *Memoirs of Great Britain and Ireland* (three vols., Edinburgh, 1771, 1773, 1778). The matter here referred to is in the second volume, which contains numerous documents from French sources. See the preface to that volume, also the notes in Allibone, *Dictionary of Authors*.

⁴ See no. 571, *post*.

[567]¹ Mass. Hist. Soc., *Collections*, seventh ser., II. 290; Boutell, *Life of Roger Sherman*, p. 107.

Messrs. R. H. Lee, Samuel Adams, Josiah Bartlet, and Oliver Elsworth, who have not yet made report; hope such determination will be made thereon as will be reasonable and satisfactory, of which we will give your Excellency the earliest notice by the post.² The affair of finance is yet unfinished; the arrangement of the board of treasury is determined on, but the officers are not yet appointed. To-morrow is assigned for their nomination.³ The members of Congress are united in the great object of securing the liberties and independence of the States, but are sometimes divided in opinion about particular measures.

The Assembly of New Jersey in their late session did not ratify the Confederation; nor has it been done by Maryland and Delaware States. These and some other of the States are dissatisfied that the western ungranted lands should be claimed by particular States, which, they think, ought to be the common interest of the United States, they being defended at the common expense. They further say that if some provision is not now made for securing lands for the troops who serve during the war, they shall have to pay large sums to the States who claim the vacant lands to supply their quota of the troops.⁴

We are, Sir, with great respect,

Your Excellency's most obedient and most humble servants,

ROGER SHERMAN.

OLIVER ELSWORTH.⁵

568. SAMUEL HOLTEN, DIARY.¹

[October 15, 16, 1778.]

15. A Manifesto or Proclamation from the Com'rs of the British King appeared in the pap'r of this day offering a General Pardon, but I believe there is but few people here want their pardon.²

² Governor Trumbull's letter to the Connecticut delegates Oct. 5 is in Mass. Hist. Soc., *Collections*, seventh ser., II. 274. See also his letters of the same date to Laurens, Samuel Adams, and Lovell, and a letter to Laurens Oct. 6, embodying his memorial to Congress, *ibid.*, pp. 273, 276, 277, 279. The settlement of the accounts of Joseph Trumbull, sometime commissary of purchases, who died July 23, 1778, dragged through more than four years. See the *Journals*, Aug. 31, Oct. 15, Nov. 2, 1778; Mar. 9, 31, Apr. 5, May 5, July 8, 1779; Jan. 8, Apr. 17, 27, June 25, 1781; Jan. 23, July 22, 23, Aug. 13, Oct. 1, 28, 1782. Cf. no. 457, *ante*, and nos. 569, 589, 601, 616, 617, 639, *post*.

³ See the *Journals*, Apr. 15, Aug. 13, Sept. 26, Oct. 13, 29, 31, Nov. 3, and no. 603, *post*. See also vol. II., p. 211 n.

⁴ Cf. no. 560, *ante*, and nos. 599, 612, 630, 638, *post*.

⁵ It should be observed that this and other letters from the Connecticut delegates are printed from copies in the Trumbull Letter-Book and that Ellsworth's name is often incorrectly spelled.

[568]¹ *Essex Inst. Hist. Colls.*, LV. 173.

² See the *Journals*, Oct. 15, 16. The "Manifesto and Proclamation" of the British commissioners, dated Oct. 3, appeared in the *Pennsylvania Packet* of Oct. 15. It is found in Almon's *Remembrancer*, 1778-1779, p. 127. Samuel Adams wrote to Timothy Matlack Oct. 16 that he understood General Clinton designed to send to each of the states "an insulting Paper, called a Manifesto or Proclamation, calculated to promote a Rebellion", and suggested that the vessel bringing that for Pennsylvania be seized and the men be brought up blindfold, "to be dealt with according to the Laws of Nature and Nations" (*Writings*, IV. 75; *Pa. Arch.*, first ser., VII. 14). See nos. 574, 576, 588, 595, 599, 618, 643, *post*.

Washington wrote to President Laurens, Oct. 22: "With respect to seditious papers, calculated to excite dissensions and mislead the people, Congress may be assured, that

16. The articles respecting the surrender of the Island of Dominic to his most christian Majesty came to hand this day.³

569. SAMUEL ADAMS TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILAD Oct 16—78

Sir

I had the Honor of receiving your Excys Letter of the 5th Instant, and sincerely condole with you on the heavy Loss your Family and the publick sustain by the Death of your eldest Son. His Services in my opinion merited great Consideration, and it now behoves the Publick to render the Settlement of his Affairs as easy to his surviving Friends as possible. I have communicated the Contents of your Letter to my Colleagues and the other Members of Congress, and you may be assured Sir that we shall interest ourselves in obtaining with all possible Speed the Attention and Decision of Congress on the Matters set forth in your Representation.²

Mr Sherman was so obliging as to give me the perusal of your Letter to him, and I am happy that Congress as a Body concurs with you in the (Sentiment therein containd; having passd a Resolution by a great Majority expressing their Sense that true Religion and good Morals are the only solid Foundations of publick Liberty and Happiness.³

570. SAMUEL ADAMS TO SAMUEL PHILLIPS SAVAGE.¹

PHILADA. October 17, 1778.

My dear Sir,

I suppose you will have seen before this reaches you the *Pennsylvania Packett* of tuesday last, which contains a Resolution of Congress expressing their Sense that true Religion and good Morals are the only Foundation, of Publick Liberty and Happiness; and earnestly recommending to the several States to take the most effectual Measures for the Encouragement thereof, and to prevent Stage playing and such kinds of Diversions, as are productive of Vice, Idleness, Dissipation, and a general Depravity of Principles and Manners. Also enjoyning on all Officers of the Army to see that the Rules prescribed for the Encouragement of Virtue and the discountenancing of Prophaness and Vice are duly executed.² You must

whenever they may be sent from the enemy by a flag, and they come to my hands, I shall not fail to suppress them. I fear, however, the avenues and channels in which they may be conveyed are so various and so numerous, that no exertions will be found sufficient entirely to prevent the evil" (*Writings*, ed. Ford, VII. 223, ed. Sparks, VI. 96).

There were numerous responses to this manifesto. One by "Common Sense" appeared in the *Pennsylvania Packet* of Oct. 24, one by William Henry Drayton in the issue of Oct. 29. They are found in Almon's *Remembrancer*, 1778-1779, pp. 304, 332. See also nos. 588, 596, *post*.

³ See Almon's *Remembrancer*, 1778-1779, pp. 82-85.

[569]¹ *Writings* (ed. Cushing), IV. 74; N. Y. Pub. Lib., Samuel Adams Papers.

² Trumbull's letter to Adams is in Mass Hist. Soc., *Collections*, seventh ser., II. 276. See no. 567, *ante*.

³ See no. 570, *post*.

[570]¹ Mass. Hist. Soc., *Proceedings*, XLIII. 334.

² See the *Journals*, Oct. 12.

know that in humble Imitation, as it would seem, of the Example of the British Army, some of the Officers of ours have condescended to act on the Stage; while others, and one of superior Rank,³ were pleased to countenance them with their Presence. This with some other Appearances as disagreeable to the sober Inhabitants of this City as to Congress, gave Occasion for the Resolution. I am sorry that by a Repetition of a theatrical Performance, which at least appeared to be done in Contempt of the Sense of Congress, another Resolution became necessary. You will see it in the enclosed Paper.⁴ The young french Marquiss has discovered the Dignity of the Citizen in the Regard he so readily paid to the sentiments of those in Civil Authority on this occasion. I hope that other Gentlemen "of the first Rank and Fortune who deny themselves the Pleasures of domestick life and expose themselves to the Hardships of a Camp in the glorious Cause of Freedom," show as much good sense and Attention to the Cause of Virtue. Adieu

571. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADA. Octob. 17, 1778.

My dear Sir,

. . . . Confiscation, you tell me labors. "It labors very hard"!² I have heard objections made against it, not in this Country, but my own. But I thought the objections were made by interested Men. Shall those Traitors who first conspired the Ruin of our Liberties, those who basely forsook their Country in her Distress, and sought Protection from the Enemy when they thought them in the Plenitude of Power, who have ever since been stimulating, and doing all they were able which it must be confessd was little indeed, to aid and comfort them while they were exerting their utmost to enslave and ruin us! Shall these Wretches have their Estates reservd for them and restord at the Conclusion of this glorious Struggle, in which some of the riches and Blood of America has been spilled, for the sake of a few who may have Money in England, and for this Reason have maintaind a dastardly and criminal Neutrality. It cannot be. I venturd to speak my Mind in a Place where I could claim no Right to speak. I spoke *with Leave* which I should have disdained to have done, had I not felt the Importance of the Subject to our Country. I will tell you my opinion. If you do not act a decisive Part; if you suffer those Traitors to return and enjoy their Estates, the World will say that you have no Sense of publick Injury and have lost all your Understanding.

Adieu my dear Friend

³ A note in Mass. Hist. Soc., *Proceedings*, suggests that Arnold was probably the officer alluded to. See an article by F. D. Stone, "Philadelphia Society One Hundred Years Ago", in *Pa. Mag. Hist. and Biog.*, III, 364 (1879).

⁴ See the *Journals*, Oct. 16. Cf. no. 569, *ante*, also Adams to Savage Oct. 6, 1778, and to Warren Feb. 12, 1779, *Writings*, IV, 67, 123.

[571]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 226; *Writings* (ed. Cushing), IV, 75.

² Adams is replying to Warren's letter of Sept. 30 (*Warren-Adams Letters*, II, 47). To other parts of the same letter he replied Oct. 20 and Nov. 3 (nos. 578, 602, *post*).

572. JOHN MATHEWS TO THOMAS BEE.¹

PHILADELPHIA Octr. 17th 1778

My Dear Bee

I am set down with a heavy and an aking heart to write to you. To you I can communicate my sentiments without reserve, as I am sure you will never betray that confidence, I repose in you. I will now speak more freely to you than I have yet done. They are the dictates of an honest heart, that means well, and is deeply impressed with the most poignant grief, in contemplating the ruin that impends over this unhappy country. Since I have come into C———² I have viewed the progress of its business, with a curious, and a watchful eye. I have for some time past, thought this body by no means competent to do the great public business intrusted to them. I am *now* thoroughly convinced of the Justice of this observation. I do not think it would be prudent to trust my reasons to paper, I will reserve them untill we meet. Do not think me actuated by an over jealous disposition. Indeed I am not. I have refrained from saying thus much, untill I was satisfied there was no room left whereon to hang a doubt. A change of Men, or measures, must be speedily effected, or we are lost. It is a melancholy truth, and as I think it high time it was known, I must tell you, that the American cause never stood so near the pinnacle of destruction as it at this day does, and is daily approaching nearer to its downfall. Whence arises this dangerous alarm? I may be asked. From men in whom you repose an implicit confidence, and who are not worthy of it. These are serious matters, and require no less serious consideration. They are meant to operate so far on your mind, as to produce something, for the benefit of that virtuous cause in which you took so early and decided a part, and the same noble Patriotism, which first fired your bosom to step forth in its support, will, I make not the least doubt, again engage your exertions of mind, to devise some means, for conducting it to a final and happy Issue. I would wish to see one State at least in the union have fortitude and honesty enough to instruct their Delegates to remonstrate in pointed and severe terms, against the abuse, and waste of time that daily is committed in that body. The Great public concerns are left to shift for themselves, whilst almost our whole time is ingroced by the private interest of individuals. Alas! C——— is not what it has been. Your own good sence will at once dictate to you that this must be, *inter nos*. It is a delicate affair, and ought to be handled with extream tenderness, for if these things were once to get abroad, the consequences you must at once perceive. I intend when I am about to leave C——— to speak my mind very freely to them on this subject, and shall conclude with telling them, I am abundantly satisfied, they are not calculated to conduct the business intrusted to them, and if the States do not fall upon some other mode, by which the concerns of the American States, are to be managed, we must inevitably fall to pieces, and that I intend to tell the State so I belong to, as soon as I go home, and will too.

[572]¹ Charleston Lib. Soc., Miscellaneous Letters, p. III.² Congress.

Oct. 18. For particulars of the intelligence we received yesterday, of the expedition against you I must refer you to Hall.³ We set untill past ten o'clock last night on this business, and at last carried our point for 2000 men more to be sent you from No. Carolina. This will make 6000 in the whole, which with our own force, will pretty effectually secure us, against this cruel enemy, provided they are with you in time. We have taken every step we possibly could, that they should be, and hope they will, at least the first 4000.⁴ You know my hand writing therefore shall not put my name to this. I am my Dr Sir Yours Most Sincerely

J. M.

573. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO JOSEPH REED.¹

Sunday 18th Oct. [1778.]

Sir,

In obedience to the Order of Congress laid on me last evening, I have written the Letter to Lord Stirling respecting Mrs. Yard, without postponing the matter on Account of the day.

When I reflect that on the 13th Instant I transmitted to General Washington an Order of Congress "to take effectual measures for preventing an illicit commerce between the inhabitants of these States and the Enemy in the garrison at New York", and take into consideration the present Permit to pass Trunks and Baggage from that place without examination, I feel a deep apprehension for the honor of Congress which will probably be called in question by the Army in the first instance, and possibly by the good people at large in these States eventually; nor am I without some concern on your account Sir, should it hereafter appear that such Trunks and Baggage had contained Merchandize and had not been fully explained to Congress when the Permit for free passage was applied for. Pardon me Sir, for these suggestions, they flow from the purest motives. You will determine in a moment whether they contain any degree of propriety and will act as you shall judge proper. I therefore submit the Letter to you under a flying Seal to be sent forward immediately or detained for further reflection on the subject matter. If you shall determine the former be pleased to close the Letter by a wafer.²

³ Possibly George Abbott Hall, a kinsman.

⁴ See the *Journals*, Oct. 17; cf. *ibid.*, Sept. 23, 24, 25; also nos. 536, 541, 542, *ante*, and nos. 574, 577, 579, 582, *post*.

[573]¹ Library of Congress, President's Letter-Book, II. 122.

² The resolve of Oct. 17 relative to Mrs. Yard stands recorded in the *Journals* without indication of its origin; neither has any explanation been discovered of the part which Joseph Reed had in obtaining the special favor to Mrs. Yard. The letter to Stirling, Oct. 18, transmitting the resolution, is in the Letter-Book, p. 117, and bears a notation in the writing of Moses Young, "delivered General Reed by M. Young". Stirling replied from Elizabeth Town Oct. 21 (*Papers Cont. Cong.*, no. 162, f. 539): "I presume Congress is uninformed that there is in force a Law of this State prohibiting all Intercourse and Commerce with the Enemy, but under Certain regulations, and empowering any person whatever to Seize and Secure any goods wares or merchandize brought from within the lines of the Enemy, directs a process at Law for their Condemnation and orders them to be sold for the benefit of the Captors. I could not therefore with any propriety Interfere in the Execution of the Law of the State; But I have

574. JOHN PENN TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA, 18th Oct., 1778.

Dear Sir:

Congress were yesterday informed by what is said to be good authority, that several thousand of the Enemy are about embarking from New York for Charles Town, in hopes of being able to surprise the Inhabitants and to get much plunder.² Your Excellency will observe from the proclamation published by the British Commissioners that they intended to destroy everything they can, alleging by way of excuse that America was mortgaged to France, their natural Enemy and it was now the intent of Britain to ruin the estate, to prevent them from getting any advantages from our connection.³

I wrote you the situation Genl. Lee was in. Congress have been so engaged in business that we have not had as much time as to take up the proceedings of the Court. However, that will be the business of to-morrow.⁴

Genls. Schuyler and St. Clair are honorably acquitted by the Court Martial. We shall examine their trials soon.⁵ My compliments to your son.

575. SAMUEL HOLTEN, DIARY.¹

[October 18-20, 1778.]

18. Sabbath day. Gen. Lincoln and his aid dined with us. The French minister and Gen. Lee paid us an evening visit.²

19. Congress received accounts from Lord Sterling that the enemy were preparing for a grand movement from New York, but where is uncertain.

20. Genl. Lincoln and his aid dined with us.

prevailed on the Captors to sell the whole without examination to Mrs. Yard for Six pence, altho' there is good reason to believe they would Sell for twenty thousand pounds. This the Captors do, out of the Respect they have for Congress, and from their great desire to Comply with every wish of that Honorable Body." Stirling's letter was read in Congress Oct. 26, but if any notice was taken of this part of it, is is not recorded. Meanwhile Laurens had replied on the 25th (Sunday), "I cannot refrain from expressing my admiration of the liberality and obedience displayed in the conduct of those persons who captured Mrs. Yard's Merchandize, by their gentle surrender of them" (Letter-Book, II. 130).

[574]¹ *N. C. St. Recs.*, XIII. 242.

² See no. 572, *ante*, and nos. 577, 579, 582, *post*. President Laurens, in transmitting to Governor Caswell Oct. 18 the resolve of Oct. 17, added, "I am also directed to assure your Excellency that the necessary remittance of money for the payment of these Troops will be made in a few days" (*N. C. State Recs.*, XIII. 242). The money was voted Oct. 20.

³ See the *Journals*, Oct. 15, 16, and no. 568, note 2, *ante*.

⁴ See the *Journals*, Oct. 9, 20, 23, and nos. 586, 656, *post*.

⁵ See the *Journals*, Oct. 7, 8, 12, Nov. 30, Dec. 3, 5, 16.

[575]¹ *Essex Inst. Hist. Colls.*, LV. 173.

² Under Oct. 17 Holten records: "I dined with Dr. Shippen. Genls. Lee and Lincoln dined at the Doctor's."

576. JOHN HENRY TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

PHILADELA. Oct. the 20th 1778.

Dear Sir:

I had the Honor of writing to you yesterday in the morning. Since that Time the following Intelligence recd. from Lord Sterling has changed the opinions of most Gentlemen with respect to the immediate operations of the Enemy.²

The Flag that was coming to this City with the Manifesto and proclamation from the Commissioners is cast away on the Jersey shore. Two officers and ten men were saved. They had three packets which were lossed.³

I am at present alone and from the important Business before Congress, respecting our finances and foreign affairs, earnestly desire a representation as soon as any of my Colleagues can possibly attend.

577. THOMAS BURKE TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

WILLIAMSBURG Oct. 20th 1778.

Dr Sir:

. . . . I suppose you have received the resolutions relative to sending Troops to South Carolina.² Here it is considered as a matter altogether visionary, and nothing is done except giving power to the Executive in case of any invasion shall happen or appear imminent to send the force required. For my own part I am of opinion it has arisen from the credulity of some Southern Gentlemen in Congress, and from the high idea of the importance of their Country. It is not very probable that the Enemy will divide a force already unable to keep the open field, or that they will forego their present possessions for the purpose of making an attempt on one much less important to them. To do the first would be to make a certain sacrifice of a part of their army, and to do the latter would be egregious folly. In short Sir, I believe it will end in mere smoke³ We

[576]¹ Md. Hist. Soc., Red Book, X. 75; *Arch. of Md.*, XXI. 219.

² See, however, nos. 577, 582, *post*. Stirling's letter, Oct. 17, was read in Congress Oct. 19.

³ Cf. no. 568, note 2, *ante*, and nos. 595, 599, *post*. The "flag" was the sloop *Hotham*. One of the officers was Lieut. Christopher Hele (concerning him see no. 643, *post*, and the note under Fell's Diary Jan. 12, 1779, in vol. IV.). The other was probably the pilot, as the *Journals* of Nov. 9 speak only of "the pilot, lieutenant and crew". In a letter from James Dick, secretary to Admiral Gambier, to Commissary-General John Beatty, Oct. 27, 1778 (*Almon's Remembrancer*, 1778-1779, p. 178), he is mentioned as "a pilot of the name of Welbank", and in the *Journals*, Sept. 17, 1779, his name is given as "Wellbank". In *Arch. of Md.*, XXI. 220, is found his "Declaration", a copy of which John Henry had transmitted to Governor Johnson Oct. 21, with the remark that he had that moment received it from the President of Congress. In this declaration (dated Oct. 20) he is set down as "Abraham Whiltbank of Lewistown pilot".

[577]¹ *N. C. St. Recs.*, XIII. 245.

² Burke refers no doubt only to the resolution of Sept. 25. He probably had not yet learned of those of Oct. 17. See nos. 536, 541, 542, 572, 574, *ante*, 579, 582, *post*.

³ Cf. Gen. Allen Jones to Caswell, Oct. 21, 28, Caswell to Gen. John Ashe, Oct. 28, and to Jones Nov. 7, *N. C. St. Recs.*, XIII. 245, 254, 255, 265.

have here the very disagreeable news that Col. Baylor's Regiment of Light Horse was surprised near Hackensack, forty of them put to the sword and the most taken. The Col. himself and most of his officers are supposed to be among the slain.⁴

578. SAMUEL ADAMS TO JAMES WARREN.¹

PHILADELPHIA, Oct. 20th, 1778.

My dear Sir:

I am much pleas'd with the Respect lately shown to the Count D'Estaing and his Officers,² but not with the Etiquet of your publick Entertainment.³ The Arrangement of the Toasts was not perfectly agreeable to my Idea of Propriety. This may be thought unworthy of Notice. But there is no Appearance made by the Publick but, like that of a private Individual, adds more or less to its Honor or Disgrace. Besides, Things which detach'd and by themselves are justly considerd as Trifles light as Air, when they are connected with and made Parts of a great Machine, become important and do good or Hurt. The Monarch and Kingdom of France preceeded the Congress; and the Army and Navy of France that of America. Nations and independent sovereign States do not compliment after the Manner of Belles and Beaus. The superior Respect

⁴ The rumor of Colonel Baylor's death proved to be incorrect. See no. 558, *ante*. Affidavits concerning the affair, requested by Congress in a resolution of Oct. 6, were transmitted by Lord Stirling with a letter of Oct. 21, read in Congress Oct. 26, and were referred to the committee of intelligence for publication. They were printed in the *Pennsylvania Packet* of Oct. 29, and may be found in Almon's *Remembrancer*, 1778-1779, pp. 292-299.

On the extract of Stirling's letter prepared for the press (by Richard Henry Lee), besides directions to the printer by Drayton and Charles Thomson, is found this note to the printer in Thomson's writing: "Please to send me the papers back when you have done with them and also Col. Hartley's letter which you printed some time ago I pray you not to neglect sending me back the originals immediately, otherwise I shall not send you any more originals." The letter of Col. Thomas Hartley Oct. 8 (see the *Journals*, Oct. 13) was printed in the *Packet* Oct. 17.

[578]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 227; *Warren-Adams Letters*, II, 57.

² See nos. 518, 519, 532, *ante*; cf. Samuel Adams to John Adams, Oct. 25, in *Writings*, IV, 79. A letter of Abigail Adams to her husband, undated, but of this period, tells something of the visits to and from the French officers (*Familiar Letters*, p. 342). See also Mercy Warren to John Adams, Oct. 15, in *Warren-Adams Letters*, II, 53.

³ In his letter of Sept. 30 (see no. 571, note 2, *ante*) Warren wrote: "The disposition that at first appeared to Cast an Odium on the Count and to discredit our New Allies seems to have intirely subsided and has been succeeded by the most perfect good humour and respect Shewn them. Genl. Hancock has made most Magnificent Entertainments for the Count and his Officers both at his own and the public Houses, and last Week the Genl. Court Entertained them at Dinner in Faneuil Hall with much military Parade. on this occasion the General had an oppy. of Exhibiting a Specimen of his Military Talents, etc." He then gives a list of some of the toasts:

"1. The United States. The A.D.C. was directed to give the Signal for 13 Cannon to fire.

"2. The Monarch and Kingdom of France. Ditto.

"3. The Congress. the A.D.C. lookd wishfully the Genl. Shook his Head. no Cannon fired.

"4. The Army and Navy of France. Ditto.

"5. Genl. W and the Army. the Genl. waved the Signal to the aid with great Earnestness. another aid by his Side waved his hand over his head. 13 Cannon. A General Shout and Clap. no Cannon fired after this Toast.

"I ventured afterwards to ask the Genl. how it came to pass that Congress were not treated with the highest marks of Respect and distinction, and told him I was sorry to

paid to the General and Army of America to that shown to the Congress, viz. by the Addition of a *feu du joie*, I suppose was conformable to the Practice of all wise States in giving a just Preference to the Military above the civil Power. It must be confessed it is grounded on Principles truly and altogether Republican. Yet the old fashioned Whiggs murmur at it; and with a Mixture of Pleasure and Indignation contrast the present with past Times when it was made a Capital Point, to keep the former under the Controul of the latter. Men are prone to Idolatry; and some who seem to scorn the worshiping Gods of other Nations, will bow down to graven Images of Gold and Silver, and, strange Infatuation! of Wood in the form of an Ass an Ape or a Calf, no matter what, if it be the Work of their own Hands. In Truth, my Friend, the Congress appears to be in an awkward Situation. While they are exerting their utmost Influence, on all proper Occasions, to support the civil Authority of the several States over the military, there are some Men, even in that State which my Partiality had almost led me to pronounce the most respectable in the Union who would have less Respect shown to them than to the Creatures which they have made. Tyrants have been the Scourges and Plagues of Mankind, and Armies their Instruments. These have been said by ignorant Flatterers and Sycophants to be the Vicegerents of the Almighty to punish Men for their Sins, and therefore not to be resisted or controuled. The Time may come when the Sins of America may be punished by a standing Army; and that Time will surely come when the Body of the People, shall be so lost to the Exercise of common Understanding and Caution, as to suffer the Civil to stoop to the Military Power.

I will finish this Scrawl with an Anecdote. Not many Days ago a Sherrieff of the County of Philadelphia attempted to serve a Writ on the Person of the Count Pulaski. He was at the Head of his Legion and resisted the Officer. A Representation of it was made to Congress by the Chief Justice who well understands his Duty and is a Gentleman of Spirit. The Count was immediately orderd to submit to the Magistrate, and informd that Congress was determind to resent any Opposition made to the civil Authority by any of their officers. The Count acted upon the Principle of Honor. The Debt was for the Support of his Legion, and he thought the Charge unreasonable as it probably was. He was ignorant

see the day when they were not. he said he had his orders, and they were Included in the United States. I told him I thought Genl. W and the Army were, that I had as great a Respect for Genl. W and the Army as any Man, but if they were not Included also in the United States I wish they were disbanded." (Warren MSS.)

The following account of this entertainment appeared in the *Independent Chronicle*, Oct. 1:

"On Friday last, at the invitation of the Government of this State, the Count D'Estaing and his officers dined at Faneuil Hall, with the Honourable Council and House of Representatives, the Continental military officers in the land and sea service, the gentlemen of the civil and ecclesiastical order, and a great number of other gentlemen—it is thought not less than 400, were seated at once at the several tables in the Hall. The entertainment was splendid. The genuine joy was never observed to rise higher upon any public occasion; and the toasts, and every circumstance thro' the day, express'd it in the most lively manner; the great and mutual pleasure diffused by the present happy Union between France and these States; which British tyranny has now rendered so important to the interest of both nations."

of the Law of the Land and made the Amend honorable. The Board of War afterwards adjusted the Account and the Creditor was satisfied.⁴
Adieu.

S A—

I intreat you not to resign your Seat at the Navy Board.⁵

579. RICHARD HENRY LEE TO THE GOVERNOR OF VIRGINIA
(PATRICK HENRY).¹

PHILADELPHIA 21st Oct 1778.

My dear Sir,

This will be delivered to you by Major General Lincoln, a brave and able Officer, who goes to command the Troops that are to oppose any attempt of the enemy upon Charles Town in South Carolina. As the General can give you the news of this place I should not have troubled you with this letter, were it not for the following purpose. It was proposed to send 50,000 dollars to the paymaster in Virginia for the purpose of forwarding the thousand men designed to assist South Carolina. Whereupon I reminded the Congress of a motion long since laid upon their table, in consequence of letters from yourself and Mr. Page informing that arrears were due to the continental soldiers in Virginia and the militia that had been called into continental service.² And I proposed making the 50, an hundred thousand dollars, and to word the resolve for the purposes "of paying the arrears due to the continental soldiers in Virginia, and to the militia of that state which had been the last year in continental service," as well as for forwarding the thousand men to S. Carolina. This was readily agreed to, and the money (100,000 dollars) is ordered forward.³ Now Sir, I presume that Gen. Lincoln will, on your application, and showing him the resolve, take measures, by ordering the payment himself if the accounts of arrear are ready, and if not, by authorizing you to call on the paymaster for the money when these accounts are prepared. I beg leave to refer you to the General for our news being in great haste. I subscribe myself with much esteem and affection yours.

P. S.—Since I wrote the letter on the other side, I find upon conversation with Gen Lincoln that if the pay rolls of the militia should not happen to be ready when he passed through Williamsburgh, that it would not be in his power to order payment, as he could not delegate his authority.

⁴ See the *Journals*, Oct. 2, 3.

⁵ See nos. 602, 614, 615, *post*. Warren's reply to this letter and to that of Oct. 17, no. 571, *ante*, is dated Nov. 5 (*Warren-Adams Letters*, II. 63).

[579]¹ Henry, *Patrick Henry*, III. 196; *Letters* (ed. Ballagh), I. 443.

² The reference is to the letter from Governor Henry May 23, transmitting a resolution of the assembly dated May 18, read in Congress June 15, and the consideration postponed. The governor, in accordance with the instructions of the assembly, explained the obstacles that had prevented the adjustment of the state's accounts and asked the delegates to endeavor to procure such further action as would produce a settlement.

³ See the *Journals*, Oct. 20.

Therefore, I proposed the inclosed resolve which I hope will remove all difficulty.⁴

farewell

580. HENRY MARCHANT TO THE RHODE ISLAND ASSEMBLY.¹

PHILADELPHIA, Oct. 21st, 1778.

Gentlemen,

In Consequence of a Letter of the 11th of June from the Council of War, the same was laid before Congress, and a Committee appointed upon it. But notwithstanding my utmost Exertions to get a Report as soon as possible, that Committee never did any Thing upon it, one member of it left Congress, and I at Length got a New Committee, and thro perseverance I have procured a Report and Resolution of Congress, which I herewith enclose your Honors.² It is such as I apprehend will afford entire Satisfaction; especially when it is considered that the furnishing of Cloathing to the officers of the State troops upon the same principles as the Cloathing furnished the officers of the Continental troops is approved of by Congress. I felt myself not a little happy that I was able to establish that Point, and I cannot but reflect with some degree of Satisfaction, that I have never failed in obtaining every Request which I have ever had the Honor to make of Congress, in Behalf of the State I represent; and, in some Instances I flatter myself I have anticipated their wishes. This Observation does not arise from Vanity, but from that heart-felt Pleasure I take in the discharge of my Duty to a State who have conferred upon me repeated Honors, and given to me the Strongest Testimonials of their confidence. Of all which no one hath a more grateful Sense, nor shall strive more ardently to evince it, than your Honors'

most obedient and very humble Servant,

HY MARCHANT.

581. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

23d October [1778.]

Sir

I had the honor of addressing Your Excellency Yesterday by Jones and also of receiving and presenting to Congress Your Excellency's favor of the 18th with the Refugee Petition to the British Commissioners. This, I understand will appear in print tomorrow, and be prefaced by a private hand. Congress heard it read and paid no other attention to it.²

⁴ See the *Journals*, Oct. 22.

[580]¹ R. I. Arch., Letters to the Governors, 1778-1779, p. 40; Staples, *R. I. in Cont. Cong.*, p. 204.

² See the *Journals*, June 25, Sept. 4, Oct. 13. The letter of the Rhode Island council of war, with the date June 10, is in Staples, *R. I. in Cont. Cong.*, p. 185.

[581]¹ Library of Congress, President's Letter-Book, II. 127.

² The *Journals* record merely that the letter was read. The petition to the British commissioners from "the Loyal Refugees from different Provinces" was printed in the *Pennsylvania Packet* Oct. 24, with an unsigned introduction. The statement is made that it had been printed in New York. A note at the end says, "It is probable this petition will be only signed by the three remaining commissioners and the honest Colonel Kirkland". Cf. no. 588, *post*.

582. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA Oct 24th 1778.

Sir:

A fleet from New York, consisting of 16 ships of the line and upwards of 100 transports, sailed a few days ago, with Troops and many cannon on board. Their destination is at present a secret. Congress are much alarmed, fearing they may intend for the southward, (Charles Town) which has induced them to call upon No. Carolina for a greater body of men than I suppose can be raised in time to prevent the Enemy's designs. Your Excellency will perceive it to be the desire of Congress that you should put yourself at the head of the Troops from your State, and should you be inclined to do so, have given you the rank and pay, etc., of a Major Genl in the Continental Army. Genl. Howe is ordered to head quarters, and Gen'l Lincoln, an officer of great military merit, is appointed to the command in the Southern Department.²

583. SAMUEL HOLTEN, DIARY.¹

[October 22-24, 1778.]

22. Genl. Lincoln dined with us and we rode out with the General.
23. Genl. Lincoln spent the evening and supped with us.
24. Genl. Lincoln sit out from this city to take the command of the southern army. I met a Com^t at 5 o'Clock.

584. JAMES LOVELL TO JOHN ADAMS.¹

PHILADA. 24th Octr 1778

Dear Sir

. . . . Congress have the Papers of the Committee for foreign Affairs on their Table, and are taking their own Time to execute any Thing material for you to know; therefore I would not take upon myself to give you any Detail of those matters, further than to say that the Presence of Mr. Deane and Mr. Carmichael seems rather to perplex than clear our Views. Those Gentlemen having been at Variance for a Season and now cordially reconciled, there is a sort of a Task in accommodating the Meaning of Expressions used at different Periods under the Influence of different Passions The only Result of Interrogatories I foresee must therefore be the Loss of that Time which had better be spent in attending to our Finances.²

[582]¹ *N. C. St. Recs.*, XIII. 249; XXII. 986.² Cf. nos. 546, 552, 572, 576, 577, 579, *ante*; also Penn to Caswell, Oct. 22, *N. C. St. Recs.*, XIII. 247.[583]¹ *Essex Inst. Hist. Colls.*, LV. 174.[584]¹ Adams MSS., Boston.² Cf. nos. 401, 524, 528, 529, 545, 549, 554, 564, 566, *ante*, and nos. 590, 635, *post*.

585. SAMUEL ADAMS TO JOHN ADAMS.¹

PHILADA Octob 25, 1778

My dear Sir,

. . . . I suppose you have been fully and officially informd of the State of our military Affairs since the Enemy evacuated this City and met with a Drubbing at Monmouth. And as publick Letters will doubtless be forwarded by this Conveyance,² it is needless for me to give you a particular Detail of what has happend since. By those Letters you will be informd that Dr Franklin is appointed Minister Plenipotentiary at Versailles.³ It is not yet determind how you will be disposd of; but as Congress entertain great Expectations from your Services, you may depend upon Employment being allotted for you somewhere.⁴ The critical Situation of the Powers of Europe in general, renders it somewhat difficult for us to determine, to which of them to make our Addresses at present. Every Cabinet I suppose is busily engagd in making the necessary Arrangements and preparing for the opening of a Campaign, if War should take place. In this Case, I should think France must be our Pole Star, while it continues, and our Connections must be formd with hers. In the mean time however, Holland, whose Policy is always to be at Peace, may be open for a Negociation; and in my opinion, we ought to take the earliest opportunity to tempt her. . . .

586. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

PHILADELPHIA, October 26th, 1778.

Dear General,

. . . . My Ideas as to our Power of carrying on the War differ in some Respects from those whose Opinions I respect. The Resources of the Country may be drawn forth by our Paper at the same Time it must be confessed that this Paper will thereby be less valuable. After all the Debt does not increase for a certain Sterling Sum, which would have paid it one Year ago will pay it now. The Depreciation in the Interim has operated as a Tax.

I very sincerely lament that this Tax hath fallen heavy on those who have served and continue to serve their Country. It is a peculiar Hardship upon us that fully to relieve the Evils they labor under is not in our

[585]¹ *Writings* (ed. Cushing), IV. 79.² At the close of the letter Adams says: "The Marquiss De la Fayette whose extraordinary Merit is fully known to you, does me the Honor of taking Care of this Letter, and will deliver it to you."³ See the *Journals*, Sept. 14, Oct. 13, 21, 22, 24, 26; also Wharton, *Rev. Dipl. Corr.*, II. 807. Cf. nos. 592, 594, 602, *post*.⁴ The committee of foreign affairs wrote to John Adams, Oct. 28: "Congress must and will speedily determine upon the arrangement of their foreign affairs. This is become, so far as regards you, peculiarly necessary upon a new commission being sent to Dr. Franklin." Wharton, *Rev. Dipl. Corr.*, II. 814. See John Adams to Lovell, Nov. 27, 1778, in *Works*, IX. 473; and Adams to Gerry, Dec. 5, 1778, in Wharton, *Rev. Dipl. Corr.*, II. 848. John Adams's reply to this letter of Samuel Adams is dated Feb. 14, 1779, and is found *ibid.*, III. 47.[586]¹ Library of Congress, Letters to Washington, XXVIII. 85; Sparks, *Life of Gouverneur Morris*, I. 174.

Power.² This leads me to the Petition you mention or Representation which I have not yet seen and never wish to see.³ I cannot easily express to you how much I was hurt at being informed of it. Not indeed as to the Matter for that I really am a Stranger to but as to the Manner in which it was procured. For in the first Place it gave my Enemies (and who were so in some Degree for my earnest Support of the Claims of the Army heretofore) no small Cause of Triumph. This say they is the Consequence of your Zeal for an Establishment. Besides this I considered myself in some Degree as an Advocate for the Army. I loved them from my Acquaintance with some Individuals and for the Suffer-

² See the "Observations on the Finances of America", embodied in the instructions to Franklin, which are found in the *Journals*, Oct. 22. These "Observations" were drawn by Morris, as were also the instructions proper. The latter, with the date Oct. 26 (for an explanation of the date see the *Journals*, p. 1064 n.), are in Wharton, *Rev. Dipl. Corr.*, II. 807. Some account of Morris's consultation of Gérard with respect to the instructions are found *ibid.*, and also in Sparks, *Life of Morris*, I. 188-195.

³ In a letter to Morris Oct. 4 (*Writings*, ed. Ford, VII. 208, ed. Sparks, VI. 80) Washington mentioned that the delay in settling questions concerning the army, together with other unfortunate influences, had "conspired to sour the temper of the army exceedingly; and have, I am told, been productive of a memorial or representation of some kind to Congress". The memorial had some time before been prepared (it is dated Sept. 13), but it was not until Oct. 20 that it was presented to Congress (see the *Journals*). The letter of Sept. 22 from Colonels Daniel Morgan, Otho H. Williams, and William Davies, presenting the memorial, bears this endorsement by Laurens: "Cols. Morgan, Williams and Davies—Camp 22 Sept. 1778—Dd me with other Papers by Mr. Griffin as from Mr. Harvie who had left them in his hands—in Cong: 19 Octob. 1778." Secretary Thomson's endorsement is: "Laid before Congress and read Oct. 20. Ordered to lie on the table." The letter and the four memorials (identical except the signatures) are in *Papers Cont. Cong.*, no. 41, vol. VII., ff. 191-205. The first among the protests is: "That we humbly conceive the exclusion of officers from the Army, without the imputation of a crime, or regard to the Articles of War . . . and without regard to their future prospects of acquiring an honest subsistence, has a dangerous tendency", etc. (Touching the question of dismissal, see nos. 559, 565, *ante*.)

In the Maryland Historical Society (Gilmor Papers, III. 3) is the record of a meeting "At the New Dining Room September 9th '78" of a convention of officers from all the states except Rhode Island, South Carolina, and Georgia, which recommends that the several brigades and independent corps send representatives to "an assembly or a Convention of Officers at Coll. Putnams Marke on Saturday next at 10 o'clock A. M. [Sept. 12] for the purpose of considering and representing to the Honorable Congress such circumstances as the Army at large conceive themselves aggrieved by and to petition for redress". The document is signed, "Dan. Morgan, Prest., Otho H. Williams, clerk". With this document is also a draft of the address to Congress, in the writing of Colonel Williams, with a list of fourteen names appended (not autographic), including those of Colonels Morgan and Williams.

Further light is thrown on the memorial by a letter from Major John Taylor to General Woodford, written from Philadelphia Oct. 9 (Library of Congress, U. S. R.). "On my arrival at Phia.", he says, "I found the Petition of the army had gotten the start of me, and was much canvassed in Conversation. It appears to be generally considered as rude, ill written, and dictatorial, and will in my opinion if presented, meet with a severe rebuff, and undergo a Scrutiny, which perhaps it is not calculated to bear. Should its prayer be granted, people say, Congress will have the imputation of being bullied into the matter, a circumstance which will of itself, bar its success effectually. It hath been read individually perhaps by most of the members, and hath pointed out the true temper of the army to them, by which means, if now stoped [*sic*], it may have a good effect; but should it be introduced officially, it must then be treated as a public paper, and must suffer the Judgment of a public tribunal, which Judgt. would be then decisive, and I fear unfavorable. From what I can observe, Congress appears to have very favorable Sentiments of the army, but if a sort of recriminating remonstrance is preferred to them, those Sentiments will be altered."

ings which as a Body they had bravely and patiently endured; and therefore I could not but suffer when I found them taking Steps which in my Opinion cannot do them Honor and which incapacitated me from urging as I otherwise should have done every Redress in our Power to their Grievances. But what chiefly affected me was that this Meeting of Delegates from Brigades in a Mixture of civil and military Capacity carries with it the Air of deeper Design than I believe is in the Bosoms of those who were immediately concerned. It was by Procedures such as these that the good Fairfax made Way for a crafty Cromwell and that he dismissed a tedious Wrangling Parliament and established a military Despotism. It is a melancholy Truth that when once Faction takes Possession of the human Heart Men are hurried into Extremes which make considerate People tremble. I will not do your Army the Injustice even to permit a Thought that they wish to get Rid of their General. But Sir their and your and our Enemies do not want the Confidence to say so and indeed to say they can prove it and to attempt that Proof from the Manner of procuring (Agitating as they term it) the Petition in Question. Certainly could such Ideas be inculcated it would answer their Views. It would also answer their Views to instill into the Army a Distrust of Congress and therefore I doubt not but the Enemies of both are assiduous in this Business. I find also the british Commissioners are so barefaced as to hold out the Bait of Promotion in the royal Army to such as will fall in with their Designs and doubtless a peculiar Portion of their Bounty will be dispensed to those who shall sow the Seeds of Dissention in an Army which as they cannot conquer it is their only Resource to divide.

Thinking on this Subject as I do it did and does appear to me my Duty as a good Citizen thoroughly to discountenance every Measure of this Kind particularly when it is ushered as the first Mention of this Affair was to me by an Observation that the Army had it in their Power to do themselves Justice. It makes me unhappy to learn that such Discourse prevails. I am certain those who use it have no Design but they should consider that it affords Matter for the Design of others to work upon. It has not made any serious Impression I believe on the Mind of those whose Opinions have real Weight because it is considered as one of those light Expressions which flow from the Luxuriance of the Imagination. Little do those who say such Things know the Difficulties of subsisting an Army.

The Marquis will hand you a Plan etca. on which I shall say Nothing because I have already had a great Deal of Trouble with it and he can say more than I could write in a Week and you know more of the Subject than all of us together.⁴

⁴ The "Plan of an Attack upon Quebec", in the *Journals* under Oct. 22. In accordance with instructions the committee of foreign affairs transmitted the plan to Washington Oct. 27 (Library of Congress, Washington Papers, signed by Richard Henry Lee and James Lovell) with the request, "Be pleased therefore, Sir, to enclose the Plan with your Observations to Doctor Franklin by the Marquis de la Fayette". Washington's observations, dated Nov. 11, were read in Congress Nov. 19. They are printed in *Writings* (ed. Ford), VII. 239.

We have no news. Let me then tell you what has the Merit of Truth if not the Charms of Novelty. That I am Dear General

Very sincerely yours,
GOUVR MORRIS.

[P. S.] General Lee's Affair hangs by the Eye Lids. We spent one Day upon it without even touching on the Merits.⁵ The Debate was in what Manner to proceed to a Decision. Some contended for the Propriety of resolving simply to approve or disapprove of the Sentence, others for entering into the Consideration of the Charges and the Evidence on them separately without however making any Entry on the Minutes. A third for doing this and making the Entries. This as the most systematic Method I supported for truly I know not how to determine in the Lump. Granting him guilty of all the Charges it is too light a Punishment. And if he is not guilty, in the Opinion of Congress of any one there would be an Injustice in not declaring their Opinion.

Conway has again applied for a Certificate of his good Services and I have again opposed the Grant of it. His Letter lies on the Table.⁶ Again, my friend, adieu.

Pray Excuse me to Generals Greene and Schuyler for not writing by this Opportunity. Upon my Honor I have so many Things to do that I am much distrahit. Tell Genl. Schuyler however that I shall build if possible the Decision of his Business on that of Genl. Lee. . . .

587. THE PRESIDENT OF CONGRESS TO THE GOVERNOR AND
CAPTAIN-GENERAL OF CUBA.¹

PHILADELPHIA 27th October 1778

Sir

Your Excellency's Letter of the 11th March last address'd to Congress in favor of Don Juan De Miralles, I had the honor of presenting to the House²—the particular Affection which you were pleased to express

⁵ See the *Journals*, Oct. 20, 23. Joseph Hewes wrote to Governor Caswell from Edenton Nov. 24: "I returned home a few days ago from Philadelphia . . . I left Genl. Lee at Philadelphia soliciting Congress to reverse the sentence of the Court Martial respecting his behavior at the Battle of Monmouth. . . . I was told a large majority of Congress were for confirming it, but just as I was setting out, I was told the numbers were nearly equal, and I have no doubt by this time that General and his fast friend Rich'd H. Lee have prevailed on a majority to reverse it" (*N. C. St. Recs.*, XIII. 299). Cf. nos. 574, *ante*, 656, *post*.

⁶ See the *Journals*, Oct. 17; also an extract of a letter from Conway to Gates, Oct. 28, in Sparks, *Life of Morris*, I. 178.

[587]¹ Archives of the Indies, Papeles procedentes de la Isla de Cuba, leg. 1301; Library of Congress, President's Letter-Book, II. 135.

² The letter was read in Congress July 23. The original has not been found among the Papers of the Continental Congress, but a translation is in no. 78, vol. XVII., f. 47. It is addressed "To the Most Illustrious the Congress of Philadelphia", and states that "Disagreeable contrarieties obliged Dn. Juan de Miralles to put into your Continent, where he informs me he was most graciously and in the most Polite manner received and treated by the Governor of Charlestown", and that he had "resolved to wait some time in that Country". A letter of the same date and purport was written to General Washington, of which the original, a triplicate, and a translation are in the Washington Papers, under their date, March 11, 1778. Drafts both of the letter to Congress and of that to Washington are in Papeles procedentes de la Isla de Cuba, legajo 1301. Cf. no. 475, *ante*.

therein for Don Juan has been justified by his Honorable Department during his residence in these States.

It cannot but be pleasing to your friendship to be told that the influence which Your Excellency's Recommendation naturally conveys, has, in this instance, been rendered little necessary by the Claims of the personal merit of Don Juan.

The United States of North America desire Peace and harmony with other Nations and they particularly consider the prospect of a friendly intercourse between the Subjects of His Catholic Majesty and their own Inhabitants as a great Branch of their future felicity.

The kind Prayer which you have made for our preservation we beg leave to retort in sentiments of the utmost cordiality.³

I have the honor to be with the highest Esteem and Respect Sir

Your Excellency's Obedient and Most humble Servant

HENRY LAURENS.

President of Congress.

His Excellency Don D. J. Navarro,

Governor and Captain General of Cuba, etc. etc. etc. Havanna.

588. JOSIAH BARTLETT TO JOHN LANGDON.¹

PHILADELPHIA October 27th 1778

Dear Sir

In Reading the Several letters and other Publications of the Brittish Commis'rs, you will observe that they are Constantly Endeavouring to make people on both Sides the water, Believe, That Congress Have Exceeded their powers in Rejecting their (the Commision'rs) offers of Reconcillation and Entering into an alliance with France; and that in both of these instances The Congress had acted Contrary to the Sentiments of their Constituents.²

Whither they are really Deceived by the Tory accounts they Receive from the Several States, Or whither they mean to Deceive others, I am not Certain; But of this *I am* Certain, that so long as Brittain has the smallest hope Remaining of these States submitting again to her Domination, she will never Recognize our Independance and Consequently the war must Continue. It is therefore our interest to Convince Brittain and Every Body else, that the French Alliance and the Rejection of the Brittish Commis'rs offers of Reconcillation are universally approved of by these States. For this purpose I should think it would be proper for the Legislatures of the Several States in this union (as of their own motion without

³ The committee of foreign affairs was instructed Oct. 26 to prepare an answer to Governor Navarro's letter, and on Oct. 27 brought in a draft which was agreed to but was not spread upon the *Journals*. This is presumably the letter prepared by the committee.

[588]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia, now in possession of the N. H. Historical Society, Weare Papers, V. 131; *Hist. Mag.*, VI. 277 (with variations).

² Expressions to that effect are found in the letter from the commissioners July 11 (see nos. 419-421, *ante*), and were definitely reiterated in the manifesto of Oct. 3 (see no. 568, *ante*).

the advice of Congress) to pass Resolves signifying their approbation of Those Measures: And in order effectually to Cut off all their pretences for applying to individual States or persons, To Resolve that the Congress of the united States are solely vested with power on our part for Contracting foreign Alliances, for making and Conducting war and for Restoring peace, and that They and They only have full power for making peace with Brittain on the principles of our absolute Independence and not otherwise; and that these States Repose Entire Confidence in them for those purposes.

If the several states would carefully Draw up and unanimously pass such Resolves, publish them to the world in the public newspapers and send attested Copies to their Delegates in Congress to be made use of as occasion might Require, I am perswaded that it would effectually cut off all the hopes our Enemies may still Entertain of their being able to Devide and flatter us into Submission. And as they are now Convinced that they are not able to Conquer us by force, I Doubt not such Resolves would greatly facillitate their acknowledging our Independance and offering us reasonable terms of peace.

I Believe Such Resolves will be passed by several of the Legislatures, and as our assembly will likely be seting when you Receive this, I thought proper just to *Hint* the matter to you for your Consideration. In the Enclosed papers you will find the Remarks of *Common sense* on the Commission's Manifesto, also a Geneuine petition of the Refugees in New York to the Commis'srs. The petition appears so ridiculous that I should not have believed it Geneuine had we not had the best proof of its authenticity.³

You have heard I Doubt not that Mr. Simpson⁴ has the Command of the *Ranger* and that she together with the *Boston* and *Providence* may be hourly Expected at Boston.

As my power of Representing the State will Expire next Saturday, I Expect to set out for Newhampshire the Begining of next week and hope proper Care will be taken to Keep up a Represen[tation] here.⁵

I am Sir with great Respect

Your most obedient Servant

JOSIAH BARTLETT

³ The paper was the *Pennsylvania Packet* of Oct. 24. Concerning the "Refugee Petition", see no. 581, *ante*; with regard to the manifesto of the British commissioners, see nos. 568, 574, 576, *ante*, 595, 599, 618, 643, *post*.

⁴ Lieut. Thomas Simpson. Cf. the *Journals*, Sept. 17, 1779.

⁵ Bartlett's account of his expenses during his period of service from May 25 to Nov. 3 is of especial interest as one type of accounts rendered by delegates against their states. This account, which is found among the Bartlett Correspondence in the Dartmouth College Library, follows:

Expenses at York Town 1778	
May 25th Board 4 Days at Stokes Tavern.....	9: 5: 3
Shoeing Horses	3: 6: 0
Horse Keeping from 21st of may to 2nd July.....	6: 6: 0
paid for my own and waiters Board to A: Hoffman.....	37: 16: 0
paid for Drink while at Hoffmans.....	0: 13: 0
paid for washing Cloaths.....	3: 10: 0

60: 16: 3

589. ROGER SHERMAN TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA, Octo 27th, 1778.

Sir,

The great affairs of finance and the cloathing department are yet unfinished. The delay of these important matters gives me great anxiety. I have used my utmost endeavours to forward them.² I wish another Delegate might be immediately sent from Connecticut; was in hopes Colo. Dyer would have come before now. The committee appointed to consider your Excellency's letter respecting the late Commissary Trumbull's affairs have not yet made report, tho' I understand they are ready when Congress can receive it. I don't know what their report will be.³ The affair of the currency is to be further considered today. The members in general seem to be at a loss what can be done to restore its credit. The plan that appears to me most probable to be adopted is to recommend to the legislatures of the several States immediately to pass acts to raise by taxes about five or six million dollars annually for eighteen or twenty years, as a sinking fund sufficient for the redemption of all the bills and Loan Office certificates, to take out of currency about fifty million dollars by loan, to lay a tax of about twelve or thirteen million dollars for the expence of the next year; and if further emissions are necessary that additional funds be provided for sinking them within the time limited for

Expences at Philadelphia from the 4th of July to the 3d of Novembr inclusive—

paid at the George Tavern for 4 Days board.....	10: 8: 0
paid for nursing my waiter while Sick in Philada.....	11: 12: 0
paid his Doctors bill and for medicines.....	5: 19: 0
paid for his Expences in the Country to Recover his health.....	14: 14: 0
paid my washer womans bill.....	7: 19: 0
paid for Horse Keeping in Philadelphia etc.....	64: 10: 0
paid for Shoeing horses.....	3: 18: 0
paid Mrs. Peart for victuals and Lodging.....	145: 4: 0
paid for Drink at Mrs. Pearts.....	16: 18: 0
for Shaving.....	3: 14: 0
for a Chest which I left for Colo. Whipple.....	1: 14: 0
for medicines for my Self.....	1: 15: 0
for paper, pens, Ink, Sealing wax etc.....	2: 0: 6
paid for fruit bought for the table when I had company to Dine etc at Sundry times.....	2: 4: 0
for a waiter when Mine was Sick etc.....	1: 17: 0
to Expences which My waiter was at in the Country more than his board would have been in the City.....	1: 10: 0

295: 16: 6

Expenses to York Town.....	37: 14: 8
Do. from York Town to Philadelphia.....	8: 0: 11
Do. from Philadelphia Home.....	48: 4: 3
Do. at York Town.....	60: 16: 3
Do. at Philadelphia.....	295: 16: 3
Waiters wages.....	48: 6: 0
Hire of Horses allowd.....	75: 0: 0

573: 18: 4

[589]¹ Mass. Hist. Soc., *Collections*, seventh ser., II. 298.² See nos. 559, 567, *ante*, and no. 617, *post*.³ See no. 567, note 2, *ante*.

sinking those that are now outstanding, so that the possessors of the bills and lenders of money be able to make a just estimate of the value of their securities.⁴

590. RICHARD HENRY LEE TO ARTHUR LEE.¹

PHILADELPHIA Octr. 27th 1778.

My dear Brother

The Marquis Fayette left us today for Boston where he is to embark. This letter will follow him with our dispatches.² I wish that a true friendship may take place between you and the Marquis because I discern in this young Nobleman those principles that I think cannot fail to render him a great Man. And his virtue is such as will make him superior to all those mean and selfish considerations which mark too many. The [disgusting artifice]³ of our [enemies] is such as [requires] on our [part] the greatest [circumspection]. Even [virtue] will not do alone, the strictest [appearance?] must accompany this; where enemies are numerous, wicked, and inquisitive, and where the most laudable actions may be misinterpreted, and by the artful mixture of innocent truth with much falsehood, can impose on weak minds and such as are more than half willing to be imposed on, infinite care is necessary. I am much mistaken if your honest zeal in your Countries cause concerning the [un-executed articles] of the [treaty] will not be diligently both from [hence] and with [you] used to [ruin] you with the [court] of F——e. Will it not be well besides taking other wise precautions, to speak to the [minister] with the candor, firmness, and sincerity, on this subject that becomes a Man concerned in the welfare of his Country. The whole tribe of wicked ones at Passy and all the Co-adjutors will be employed in this nefarious business. But a sensible and virtuous Minister will esteem the integrity of a Man who faithfully discharges his trust by seeing and pursuing the interest of his Country, in the Station you have been in. The wickedness of Deane and his party exceeds all belief, and must in the end fail them notwithstanding the Art with which they clothe themselves. The wicked and some weak can alone support them.

.
P. S. I hope our affairs in Spain have ere this taken so favorable a turn that you will be presently repairing to that Court. The affairs of finance have with other adventitious business, so engrossed us, that we have not yet been able to take up our foreign affairs, which will presently be done

⁴ See the *Journals*, Oct. 28 (committee report); also nos. 672, 679, 687, 688, 693, *post*.

[590]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Va. Hist. Soc. (transcript); *Letters* (ed. Ballagh), I. 445 (with omissions).

² The principal of these despatches, dated Oct. 28, are in Wharton, *Rev. Dipl. Corr.*, II. 812-816. A letter from the marine committee to Franklin Oct. 27, relative to the vessel which had been ordered to carry the despatches and also Lafayette and his suite, is in Paullin, *Out-Letters*, II. 22. See also no. 585, *ante*, and nos. 592, 594, *post*.

³ The words in square brackets in this letter are written in cipher. See nos. 268, 295, 439, 524, *ante*.

upon a large Scale. I am going to Virginia in a few days, and expect our brother Frank here to take my place.

farewell
R. H. L.

591. SAMUEL HOLTEN, DIARY.¹

[October 28, 1778.]

28. Congress spent some time this day considering the State of our money and finances, which I find is very difficult to put upon a Just and respectable footing.

592. THE COMMITTEE OF FOREIGN AFFAIRS TO WILLIAM LEE.¹

PHILADELPHIA, 28 Octr. 1778.

Sir:

The enclosed Resolve it is hoped will be productive of singular advantage so far as relates to you, who must depend greatly for American intelligence on your connexions in Paris. Congress have been and are exceedingly loaded with Business; and, of late, have met with some singular interruptions in the intended general arrangement of their foreign affairs; so that they have yet only decided in respect to Doctor Franklin their Minister Plenipotentiary at the Court of France.² Our first and most pressing Business is the appreciation of our currency. This point accomplished our Enemies themselves will acknowledge their hopes of conquering us at an end. The British Commissioners sent on a foolish and wicked Errand to America are returning home completely disappointed; and there is reason, from appearances, to think that the land forces of Britain are gradually withdrawing from these States. It is probable that the Marquis de la Fayette, by whom this Letter goes, will obtain in Boston further knowledge than we now have of the destination of a fleet lately departed from New York amounting to about one hundred and fifty Sail. We shall desire Mr. Adams to give you all possible information on the arrival of this packet; and shall soon dispatch other Letters from this port. With hearty prayers for your welfare, we are, sir, your affectionate friends,

RICH'D HENRY LEE.
JAMES LOVELL.

[591]¹ *Essex Inst. Hist. Colls.*, LV. 174.

[592]¹ Library of Congress, Papers Cont. Cong., no. 79, vol. I., p. III (letter-book copy); Wharton, *Rev. Dipl. Corr.*, II. 815.

² See the *Journals*, Oct. 22, and *cf.* the letters to Franklin, Adams, and Izard, Oct. 28, in Wharton, *Rev. Dipl. Corr.*, II. 814-816. In the letter to Franklin the committee says, "Enclosed with other papers is a resolve of Congress of the 22d, which we have officially sent to all the commissioners". The letters appear to have been delivered to Franklin and Adams by an aide-de-camp of Lafayette Feb. 12, other letters by Lafayette himself on the following day. See Franklin to Jonathan Williams Feb. 13, to Vergennes Feb. 14, Adams to the committee Feb. 13, to Samuel Adams Feb. 14, to Vergennes Feb. 16, to Lovell Feb. 20, to the President of Congress Feb. 27, Izard to the committee Mar. 4, and Arthur Lee to the committee Mar. 7, *ibid.*, III. 44, 47, 50, 52, 69, 73, 74. *Cf.* no. 585, *ante*, and nos. 594, 602, 632, 661, *post*.

593. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
HORATIO GATES.¹

PHILADELPHIA 29th October 1778.

Sir

Your favor of the 13th Inst. inclosing Letters from Lord Balcarras reach'd me the 27th and was immediately presented to Congress. the House had formerly heard with much concern that Officers of the Convention Troops had, contrary to orders, been permitted to go within the Enemy's Lines, and had ordered an enquiry respecting the Case. indeed it has been repeatedly said, that Gold had been given by several of those Officers in purchase of furloghs, particularly that Lord Balcarras paid to somebody One Thousand Guineas for the indulgence granted to him. however groundless or otherwise this information may be, it is alarming at present, and therefore a further and more particular investigation is ordered.

The inclosed Act of Congress of the 27th Inst. and the Act of the 21st which is referred to will shew, in answer to Lord Balcarras's application the determination of the House.²

594. THE COMMITTEE OF FOREIGN AFFAIRS TO ARTHUR LEE.¹

PHILADELPHIA Octr. 29, 1778.

Sir,

Supposing it might import you to see the inclosed, it was proposed to, and agreed by Congress that the papers should be sent you.² If you think it expedient you will furnish Mr. Izard with a copy of them. The News papers contain all the intelligence of this place.

We are Sir your most humble servants,

RICHARD HENRY LEE
JAMES LOVELL.

P. S. We add two Resolves to the Papers before alluded to. Mr. Wm. Lee and Mr. Izard will greatly depend on you for American and other Intelligence.

Honble Arthur Lee Esqr.

[593]¹ N. Y. Hist. Soc., Gates Papers, XIII.; Library of Congress, President's Letter-Book, II. 139. The letter is addressed to Gates at Danbury.

² See no. 563, *ante*, and the *Journals*, Oct. 21, 27. The letter from Lord Balcarres to Gates, Sept. 30, is in Papers Cont. Cong., no. 154, vol. II., f. 19. Another letter to Gates, Dec. 23, relative to his exchange is in the Gates Papers, vol. XIII. For his history, see *Dict. Nat. Biog.* (Lindsay, Alexander, sixth earl of Balcarres).

[594]¹ Univ. Va. Lib., Lee Papers; Library of Congress, Papers Cont. Cong., no. 79, vol. I., p. 112 (letter-book copy). The body of the original is in the writing of Richard Henry Lee, the postscript in that of James Lovell.

² See the *Journals*, Oct. 14. Cf. no. 592, *ante*. Arthur Lee's reply, Mar. 7, is in Wharton, *Rev. Dipl. Corr.*, III. 74.

595. RICHARD HENRY LEE TO JOHN ADAMS.¹

PHILADELPHIA Oct. 29 1778

My dear Sir

. . . . It may soon happen that you be desired to visit Holland, where I believe they yet retain much of that simplicity of manners which first raised that people to greatness. Our finances want the support of a Loan in Europe. 81,500,000 of dollars with increasing demands as depreciation advances with emission, cannot be cured by the slow working of Taxes. The latter is I believe deeply gone into by all the States. . . . Never did Men cut a more ridiculous figure than the British Commissioners have done here. Their last effort is a formal application to each State, and to all the people in each, by a Manifesto sent in Flags of Truce. We consider this as a prostitution of the Flag, and have recommended the seizure and imprisonment of the people, and the publication of their Manifesto. In some instances the Sea has saved us the trouble by previously swallowing up these silly Missives.²

596. SAMUEL HOLTEN, DIARY.¹

[October 30, 31, 1778.]

30. This day Congress published a manifesto and ordered it to be sent to our enemies.²

31. Congress received a packet of letters from France.

597. ROGER SHERMAN TO ELISHA PAINE.¹

PHILADELPHIA Oct. 31, 1778

Sir

I take the liberty to address you on a Subject which to me appears to be of a very dangerous and alarming nature. I am informed that the Inhabitants of a number of Towns in the State of New Hampshire on the East side of Connecticut River, have withdrawn from the Jurisdiction of that State, and joined with the people of the Grants, on the west Side of the River in forming a distinct State. The Strength of the united States lies in their union; they by their joint efforts under the Smiles of Divine Providence, have made a Successful resistance to the power of Great

[595]¹ *Letters* (ed. Ballagh), I. 447.

² See nos. 568, note 2, 576, 588, *ante*, 599, 643, *post*.

[596]¹ *Essex Inst. Hist. Colls.*, LV. 174.

² The manifesto is in the *Journals* under Oct. 30. Concerning its authorship and its probable history, see no. 469, note 6, *ante*. It was printed in the *Pennsylvania Packet* Oct. 31, and is found in Almon's *Remembrancer*, 1778-1779, p. 132, followed by a response to the commissioners' manifesto of Oct. 3, taken from the *Virginia Gazette*. Cf. no. 568, note 2, *ante*. The manifesto of Congress was reprinted in the *Royal Gazette* Nov. 14, accompanied by a long letter concerning it, addressed to Henry Laurens and signed "Modestus". It was again printed in the issue of Nov. 18, accompanied by remarks from still another pen. In the issue of Nov. 21 appears "The Congress MANIFESTO translated into TRUTH Done in Congress by order of Monsieur Gerard". See nos. 600, 602, *post*.

[597]¹ Dartmouth College Lib., Bartlett Correspondence, vol. I., 1774-1778 (copy); Boutell, *Life of Sherman*, p. 109.

Britain Aided by foreign mercenaries: but if Intestine divisions and contentions take place among them, will they not become an easy prey to a formidable enemy?

Whether the State of New Hampshire or New York have a right of Jurisdiction over the New Hampshire Grants on the west Side of Connecticut River or whether by the neglect of the former to Claim and Support its Jurisdiction against the latter, the people have a right to form themselves into a distinct State, I Shall not give any opinion, those questions will I suppose at a proper time be judicially decided: But for the people Inhabiting within the known and acknowledged boundaries of any of the united States, to Seperate without the consent of the State to which they belong, appears to me a very unjustifiable violation of the Social Compact, and pregnant with the most ruinous consequences. Sir I dont know whether you live in one of the revolted Towns, but as You are in that vicinity, I trust from my acquaintance with your love of Order, and regard for the welfare of Your Country, you will use Your influence to discourage every thing that in Your opinion may be injurious to the true interest of these States. If the present Constitutions of any of the States is not So perfect as could be wished, they may and probably will by common consent be amended; but in the mean time and under present circumstances, it appears to me indispensibly necessary that civil Government Should be vigorously Supported. I hope you will excuse the freedom I have taken on this occasion, as my Sole motive is the public good.²

I am with Esteem and regard

Your humble Servant,³

598. CONTINENTAL CONGRESS, RESOLUTION.¹

[October 31, 1778.]

Resolution, containing the unanimous desire of Congress that the President continue in the Chair for some time longer.²

The president having reminded the house that one year is elapsed since he had the honour of being elected to fill the chair and expressed a strong desire to be relieved and that another be elected in his place;³ the house

² See nos. 507, 543, *ante*, and nos. 644, 646, 660, 673, *post*.

³ An endorsement on the back of the letter, in the writing of Josiah Bartlett, reads: "Copy of a letter from the Honble Roger Sherman of Connecticut to Col. Payne in N Hampshe."

[598]¹ S. C. Hist. Soc., Laurens Papers, Congressional Letters, 1779.

² In his resignation, Dec. 9, Laurens speaks of such a resolution having been adopted Oct. 31, but it is not recorded in the *Journals*. The copy of the resolution found in the Laurens Papers is in the writing of Charles Thomson, with the exception of one clause, as indicated in note 4, below. See nos. 663, 664, *post*.

³ As first written the reading after the word "place" was, "and whereas the thinness of the house as well as sundry other considerations render it inconvenient to go into a new choice". This sentence was erased and for it was substituted the phrase, "the house took the same into consideration and thereupon", and subsequently the word "thereupon" was erased.

took the same into consideration and the House being satisfied with the whole conduct of the President * Resolved that it is the unanimous desire of this house that H L Esqr continue for some time longer

599. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
PRESIDENT OF DELAWARE (CAESAR RODNEY).¹

1st November [1778.]

Sir

I am just now honored with your favor of the 27th Inst. which shall be presented to Congress at their meeting tomorrow.²

A Budget of Manifestos, said to be from the British Commissioners was lately thrown up by the Sea on the Jersey shore it contained one Package mark'd Delaware supposed to have been intended for that State. Another marked Pennsylvania the whole number were brought to my house and by me laid before Congress. Congress would take no cognizance of the waif; the President of this State declined touching the Bundle marked Pennsylvania. if Your Excellency believes that which was possibly intended for Delaware worth Carriage it shall be immediately transmitted.³

I am directed by Congress to recommend to the State of Delaware to supply immediately a proper number of Representatives in Congress. for some considerable time past the State has been almost wholly unrepresented. The Honorable Mr. Vandyke having retired on Account of the bad state of his health, and the Honorable Mr. Chief Justice McKean detained by unavoidable attendance on the duties of his Office: ⁴ also to

⁴ The clause "and the house being satisfied with the whole conduct of the President" is in the writing of Laurens, and was evidently inserted by him after the document had left Thomson's hand.

[599]¹ Library of Congress, President's Letter-Book, II. 144.

² See the *Journals*, Nov. 2.

³ See nos. 568, note 2, 576, 595, *ante*. Cf. no. 643, *post*. In his reply, Nov. 4 (read in Congress Nov. 6), Rodney declared that he would not be at the trouble of opening the package for its contents. Governor Livingston of New Jersey had evidently received his assignment of the proclamations some time before. For his reactions see his letter to Laurens, Oct. 9, in Sedgwick, *Life of Livingston*, p. 308. The *Pennsylvania Packet* of Nov. 3 contained the following item:

"LIST of packets sent by Lieutenant Hale on board the Hotham tender, addressed as follows:

	"No. of packets.
"To the Assembly of such [each] of the States of Pennsylvania and Delaware, instruments signed and sealed on vellum.....	2.
"To his Excellency the Governor for the time being, in each of the States of Delaware and Pennsylvania.....	2.
"To the Honourable the President for the time being.....	2.
"To the Honourable the Speaker of the Assemblies.....	2.
"To the Officer Commanding in Chief the Provincial Forces.....	2.
"To the Reverend the Ministers of the Gospel.....	2.
"To the Chief Justice and Judges of the Courts of Justice.....	2.
"To the President of the Congress.....	1.
"To the Delegates of each State in Congress.....	13."

⁴ There is no record in the *Journals* of the call upon Delaware for representation. Van Dyke is last recorded as voting Sept. 16. He returned to Congress Nov. 24. McKean, who was also chief justice of Pennsylvania, appears to have been absent from Sept. 14 to Oct. 12. He was placed on a committee Oct. 13, appears to have been present Oct. 31 (see the *Journals*, p. 1086), and is recorded as voting Nov. 2.

request the State to give Instructions to their Delegates to ratify the Articles of Confederation. New Jersey will accede in a few days as Congress is informed by her Delegates and we hope Maryland will no longer delay the accession of these three States will perfect the foundation on which the happiness of our general Union depends.⁵

Inclosed with this will be found six Manifestoes by Congress⁶ will Your Excellency be pleas'd to distribute these by proper means to public view in your State. Copies are sent to all the Posts of the Enemy.

600. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

1st November [1778.]

Sir

. . . .
P. S.

This instant the Printer has sent in a Packet of printed Manifestos by Congress, which Your Excellency is requested to distribute by proper means at the several Posts of the Enemy North and East of this place, within these States. Fifty of these Papers will be found under Cover with this.²

601. RICHARD HENRY LEE TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA Novem'r 2nd 1778

Sir

I am no stranger to the great merit of your late worthy son, Mr. Commissary General Trumbull, and my endeavours have not been wanting to procure for his family that justice, which is so eminently due to them. As Chairman of the Committee to whom your Letter and the Memorial of Mr. Hoskins were committed, I have made a Report, which appeared to the Committee, well fitted to do justice to the Representatives of Colonel Trumbull, and to produce as speedy a settlement of this business, as the nature of the thing will admit of. A short day is fixed for determining on this Report, and from the reasonableness of it, I conclude it will be agreed to.² My family affairs calling me immediately away, I set out for Virginia to-morrow, but there are not wanting many worthy gentlemen, who will press the report to a speedy determination.

⁵ See nos. 612, 630, *post*. For the accession of New Jersey see the *Journals*, Nov. 25, 26; for that of Delaware, *ibid.*, Feb. 8, 16, 1779. Maryland did not accede until Mar. 1, 1781. Cf. nos. 396, 403, 424, 560, 567, *ante*, 628, 638, *post*.

⁶ See the *Journals*, Oct. 30, and nos. 600, 602, *post*.

[600]¹ Library of Congress, President's Letter-Book, II. 143.

² See the *Journals*, Oct. 30, and nos. 596, *ante*, 602, *post*.

[601]¹ Conn. State Lib., Trumbull Papers (M. H. S.), Letter-Book, II. 140 (copy).

² See nos. 567, 589, *ante*, 616, 617, 639, *post*.

602. SAMUEL ADAMS TO JAMES WARREN.¹

My dear Sir

In your last ² you ask me What we are doing? Many things indeed. And if you will grant that some things have been done well, I will frankly confess to you that others might have been done better. I think we do as well as we can, considering the Pile of Business every Morning laid on our Table. In order that the Affairs of the Treasury may be better attended to than they possibly can be by Members of Congress, who are obligd to give their Attendance there in the Hours of Business, we have established a new Board, to consist of a Treasurer, Comptroler, Auditor and two Chambers of Accounts, of three each. All these officers are to be chosen from without Doors.³ Measures are taking for the Appretiation of the Currency. Every Adept in financiering is busily employd, and I hope we shall before long agree in an effectual Plan.⁴ We have appointed Dr. Franklin Minister Plenipo. at Versailles, and written a Letter of Credence to our good and great Ally.⁵ The Critical Situation of the Powers of Europe in general makes it some what difficult at present to determine to which of Them it is proper to make our Court. Every Cabinet I imagine will this Winter be deeply engagd in making Their Arrangements and preparing for the opening a Campaign in Case of a general War, which will more than probably happen. Our Friend A. L is in Spain. Our other Friend J. A will be employd some where.⁶ France must be our Pole Star, and our Connection must be formd with hers. Holland, whose Policy is always to be at Peace, may be open to Negociation. The sooner she is tempted the better. Spain must joyn with France, but she is dilatory. . . . We must have a respectable Army in the Spring, to put a face upon our Negotiations if not to fight. I hope we shall secure to the United States Canada, Nova Scotia and *the Fishery* by our Arms or by Treaty. Florida too is a tempting object at the South.⁷ Perhaps if you were to show this Letter to some Folks it would be thought to confirm an opinion from whence an Objection was drawn against me on a *late Occasion*,⁸ that I am "averse to Reconciliation." We never shall be upon a solid Footing till Britain cedes to us what Nature designs we should have, or till we wrest it from her.

[602]¹ Mass. Hist. Soc., Warren MSS., vol. III., p. 225; *Writings* (ed. Cushing), IV. 88; N. Y. Pub. Lib., Samuel Adams Papers.

² Warren's letter of Sept. 30 (see nos. 571, 578, *ante*).

³ See the *Journals*, Sept. 26, 29, Oct. 13, 29, 31, Nov. 3. Cf. nos. 109, 199, 274, 471, 505, 533, *ante*, 603, *post*. See also Jay to Washington, Apr. 26, 1779, in vol. IV.

⁴ A committee on money and finances was appointed Aug. 27 and brought in a report Sept. 19, which was printed (see Bibliographical Notes, *Journals*, p. 1287). This report, after some consideration, was referred to another committee, Oct. 13, whose report is found in the *Journals* under Oct. 28. The measure was not finished until Jan. 2, 1779.

⁵ See the *Journals*, Sept. 14, Oct. 13, 21, 22, 24, 26. Cf. no. 632, *post*.

⁶ Arthur Lee and John Adams. See no. 585, *ante*.

⁷ Concerning Florida, see no. 627, *post*. Although the projected expedition against Canada was presently given up (see no. 632, *post*), the hope of ultimately acquiring not only Canada, but also Nova Scotia, and even Florida, long persisted. Whether fishing rights should be an ultimatum in the negotiations for a treaty of peace was one of the most agitated questions of the year 1779.

⁸ Cf. no. 305, note 5, *ante*.

The Marine Committee have obtained a Warrant for One hundred and fifty Thousand Dollars for your Department which will be forwarded speedily. Congress has increased your Salaries to three thousand Dollars per Annum.⁹ I had this in View when I intreated you in my last Letter not to resign your Seat. Nothing could reconcile me to this but your having a Seat here. I am determind to make Room for you by a Resignation next Spring.¹⁰ I flatter my self I can yet be useful to my Country in a narrow Sphere. I wish for Retirement, and covet Leisure as a Miser does Money.

I inclose the Manifesto on our part.¹¹ I am pleasd with the Act prohibiting the Return of Tories, but I am affraid the Words "without Liberty first had and obtained from the General Court" will keep an open Door for perpetual Applications, and it may be unsafe to trust to future feelings.

PHILADA. NOV. 3d, '78.

603. JAMES LOVELL TO HORATIO GATES.¹

Novr. 3d 1778.

Dear General

. . . . You have had a Pack of cursed catalinarian Rascals plotting against you. I am not altogether without Suspicion that² some mean Practices may take Place in your present Quarters. Chagrin will occupy *more Bosoms than one*³ upon your having the Direction of Matters Eastward just now. But I take it for Granted the *People* will see and know their true Interest.⁴

We shall do great Things when we get *President Schuyler here*—*Tace*—I think that is one of the next Manoeuvres.⁵ But if our Money is mended I shall not longer be anxious; nor care much who is here. . . .

Col. Harison is chosen of the Board of War which will be managed by him Pickering and Peters with 2 Members of Congress to be chosen by nine States.⁶ The Treasury also is put on a new Footing, so that I hope we shall do more deliberative Business and less executive than formerly in Congress wch has been an Event too long wanted.⁷

⁹ See the *Journals*, Oct. 31; also no. 614, *post*.

¹⁰ See Adams to Warren, Mar. 23, 1779, in vol. IV.; also Warren to Mrs. Warren, June 6, 1779, in *Warren-Adams Letters*, II. 101.

¹¹ The Manifesto found in the *Journals*, Oct. 30. It has been attributed to Adams and will be found in his *Writings* (ed. Cushing), IV. 84. See, however, no. 469, *ante*. Cf. nos. 596, 600, *ante*.

[603]¹ N. Y. Hist. Soc., Gates Papers, XIII.; N. Y. Pub. Lib., Bancroft Coll., Revolutionary Papers, III. 437.

² The word "that" is written three times. One repetition would normally be regarded as an accident, but a second suggests a purpose on Lovell's part, though what that purpose was is not so easy to divine.

³ The allusion is evidently to Washington.

⁴ Gates had been ordered to Boston to take command of the Continental forces in the Eastern district. See the *Journals*, Oct. 22. Cf. no. 624, *post*.

⁵ Cf. no. 668, *post*, and Duane to Schuyler, Jan. 3, 1779, in vol. IV.

⁶ See the *Journals*, Oct. 29, 31, Nov. 3, 4.

⁷ Cf. no. 602, *ante*.

604. HENRY MARCHANT TO THE GOVERNOR OF RHODE ISLAND
(WILLIAM GREENE).¹

PHILADELPHIA, Nov. 3d, 1778.

Dear Sir:

. . . . The Attention of Congress is much bent upon putting a Check to the Depreciation of the Currency: The almost only Difficulty we are left to Struggle with, and hope this is not an insurmountable One. I expect to set out on my Return about the middle of this Month, when I may have an Opportunity of giving your Excellency such further Satisfaction as to publick Appearances, (which at present are very flattering to Our Wishes,) and also of our own Transactions as may be in my Power.

P. S. I enclose the papers of the week.

605. RICHARD HENRY LEE TO SIR JAMES JAY.¹

PHILADELPHIA NOV 3, 1778.

Dear Sir,

Your favor of October the 20th² is put into my hands just when I am upon the point of setting out for Virginia,³ and therefore you may suppose me not so well circumstanced for giving you such an answer as I could wish. . . . Such has been the variety and importance of the business before Congress that neither the affairs of Carm—l or of D—e are yet finished. The delay producing powers of some men, the destruction of time under pretext of order, and by long confident speeches, that I have never seen less business done in any Assembly than has been with us the last six or eight months. Mr. Izard has written to Congress complaining most heartily both of D—e and F—n.⁴ There appears to me to have been great misconduct, but I hope time and attention will discover and rectify all. It is my sincere opinion that with your powers, and your knowledge of facts, you can cause such instructions to be given your Delegates to Congress as will more certainly and speedily effect this, than can by any other means be done. You wish to know how your Delegates have acted in this affair and whether they were for the *viva voce* narrative. Amidst the variety of questions that are propounded in Congress it is not easy to remember what part particular members take, nor do I recollect whether or not Mr. Lewis was present but as well as my memory serves me I think your State was against the written Narrative and for its being *viva voce*.⁵ That matter is a thing determined, and

[604]¹ R. I. Arch., Letters to the Governors, 1778-1779, p. 43; Staples, R. I. in Cont. Cong., p. 205.

[605]¹ Univ. Va. Lib., Lee Papers; *Letters* (ed. Ballagh), I. 449.

² The letter of Sir James Jay is in *Southern Literary Messenger*, XXX. 267.

³ In a letter to Arthur Lee, Feb. 11, 1779 (vol. IV.), he states that he left Philadelphia Nov. 3, that is, the day on which this letter was written. See also no. 601, *ante*.

⁴ With regard to Izard's complaints against Deane and Franklin, see the *Journals*, Sept. 19, 25, Oct. 14, 15, Dec. 7. The correspondence is found at large in Wharton, *Rev. Dipl. Corr.*, II.; see especially pp. 477-481, 497, 522, 528, 529, 531, 537, 547, 558, 562, 570, 618, 629, 661, 710; cf. *ibid.*, I. 536-539, 589-593.

⁵ See the *Journals*, Aug. 15 (pp. 799-801).

therefore I am at liberty to answer your questions as well as I am able on that point, but many other subjects of your enquiry I could answer to your satisfaction if I were not restrained by the rules of the house respecting unfinished affairs.⁶

606. CORNELIUS HARNETT TO THOMAS BURKE.¹

PHILADELPHIA Nov. 3rd 1778.

Dear Sir:

This is the fifth letter written to you since I received your favour, acquainting me that Mr. Hill and yourself were added to the Delegation from our State. I am in anxious Expectation of seeing you both here by the first of next month. as for our friend Hill, I have my fears that he will not proceed, but let me beg of you to come on and relieve me. I assure you without any Compliments Your presence in Congress is, I think, very necessary—but more of this when we meet. . . . For God's sake come in time for me to return home—you know that I am older than you are and cannot stand Travelling after Christmas. I *desire* you will make it a point with Whitmel Hill to Accompany You. I shall have a pleasure in leaving him here to represent us.²

607. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE MARQUIS DE LAFAYETTE.¹

5th November [1778.]

. . . . The Treasury Board have repeated that they are unable to make any arrangement of the Papers which you left implying a demand on the Public for Money advanced in the Northern department; they have requested my assistance which I think can add little to their own discoveries, and that their labors must end in presuming on some given amount which will be paid to your Order, and if it shall hereafter appear to have been less than is really due, Congress will immediately upon proper notification order the remaining Balance to be discharged.²

One thing still rests undetermined, a Nomination of a Person to whom you may apply in case of Doctor Franklin's death or other inability. I shall urge the House again this Morning on that point and shall have the honor, I trust, of informing you tomorrow of their Resolution.³

⁶ See no. 635, *post*.[606]¹ *N. C. State Recs.*, XIII. 494.² Cf. nos. 523, 531, *ante*, and no. 642, *post*.[607]¹ Library of Congress, President's Letter-Book, II. 149. Addressed, "The Right Honorable The Marquis de la Fayette Major General in the Army of the United States Boston by Colonel Gimat".² See the *Journals*, Nov. 7.

³ Laurens is referring here to an inquiry in one of Lafayette's letters. The letter is without date, but it is endorsed by Thomson: "Letter from Marquis de la Fayette read 27 Oct. 1778 Referred to the committee appointed to prepare instructions to Minister plenipotentiary to the court of France." Following is the passage alluded to: "My dispatches are all directed to doctor franklin—the adopted plan is built upon his applications to the court of Versailles—with him I am to confer—I understand nobody is appointed to act or under him or in his room—but if an ill state of health, if death itself, was to deprive his country of so valuable a citizen, and mankind at large of so Respectable a man, what am I to do with my dispatches, my plans, and all the commissions I am intrusted with" (*Papers Cont. Cong.*, no. 156, f. 47). Another letter, dated Oct. 27, is *ibid.*, f. 51. See the *Journals*, Oct. 27, 30, Nov. 3, 5.

608. JOHN PENN TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

Dear Sir.

PHILADA., Novr. 5th, 1778.

. . . . Inclosed I send you a Copy of the alliance Between France and the United States; there are a considerable number to be printed for the use of the different States. I thought it my duty to inform you of the Treaty as soon as I was at liberty to do it; the reason why it was kept back was, that we have directed our Minister in France to apply to that Court to strike out the eleventh and twelfth articles.²

From General Washington's letter this minute read it appears that the enemy intend to evacuate New York soon, a very large number of the Troops having gone on board Transports.

The Delegates from No. Carolina intend to write to your Excellency soon, an official letter; they only wait the determination of Congress relative to a matter of a Publick nature, which I expect will be done in a day or two.³

609. A COMMITTEE OF CONGRESS TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

Sir

PHILADELPHIA 5th. Novr. 1778.

Upon a Representation from the General the Commissary General and the Quarter Master General relating to the Distresses of the Army for Provisions and the Certainty of being obliged to leave the present seat of the War in Quest of them unless effectual Measures be taken to supply the Want, Congress have been induced to adopt the extraordinary Measure of appointing us a Committee to take such Steps as we shall think proper. We have to assure your Excellency that it is utterly impracticable to maintain the Army without the assistance of every separate state and even then there is but too much Reason to believe that the People as well as the Army will suffer for Want of Bread before the next Harvest especially if the Exportation or Monopoly of Provisions prevails. At present we have to intreat that the whole Authority of your State may be exerted to procure Vessels for the shipping of Flour to the Eastward. It is certainly unnecessary to add that as much secrecy should be observed as is consistent with the Nature of the Business.²

With the highest Respect we are

Your Excellency's most obedient and humble Servants

GOUV MORRIS

NATH. SCUDDER

WM. WHIPPLE

[608]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; *N. C. State Recs.*, XIII. 264.

² Cf. no. 642, *post*.

³ Probably the proposed East Florida expedition is meant. See nos. 482, 618, 627, *post*.

[609]¹ Md. Hist. Soc., Red Book, VII. 148.

² This committee (in the *Journals* the names appear in the order Scudder, Morris, Whipple) was appointed Nov. 5 on a letter of Washington of Oct. 29. The same members were appointed, Nov. 10, a committee on a letter of Nov. 6 from General Greene, and were given the same large powers. See nos. 619-623, *post*.

610. HENRY MARCHANT TO THE GOVERNOR OF RHODE ISLAND
(WILLIAM GREENE).¹

PHILADELPHIA Novr. 6th 1778

Sir,

I am to inform Your Excellency that Congress have lately arranged their Treasury, appointed a Comptroler and Auditor General of Accompts, and two Boards of Commissioners of Accounts, who are to settle and adjust all Accounts delivered to them by the Comptroler Genl. That those Commissioners should be appointed from as many different States as possible was highly necessary, and I conceived it my Duty to nominate a Gentleman from our State. I knew Mr. Peter Phillips had been long acquainted with the Nature of Army Accounts, I knew him to be a Man of Integrity, and tho' his Services might be wanted at Home, Yet I conceived he might be more beneficial here in that Department, and as he was a single Man, he might remove with more Ease than many others. I trust this Nomination and appointmt will not be disagreeable to the State, nor to him. If your Excellency shall be of my Opinion, I hope you will see him yourself and Use your Influence with him, to accept. I need not suggest to You Sir that the settling of public Accounts is a matter of Great Consequence, and as there are but two Gentlemen appointed Commissioners from the Eastern States, I think it of Importance that those should serve; as the Nature of the Accounts of the Different Parts of the Continent are very different in many Instances, it is highly necessary that Persons from those different Parts should be in Commission, that such Explanations may be made as that Justice may be done to the several States as well as to the whole.²

611. SAMUEL HOLTEN, DIARY.¹

[November 6, 7, 1778.]²

6. The delegates from the Massa. Bay dined with the president.

7. I received a number of Resolutions from our Court, one appointing me a delegate from our state and some instructions.³

[610]¹ R. I. Arch., Letters to the Governors, 1778-1779, p. 46; Staples, *R. I. in Cont. Cong.*, p. 205.

² See the *Journals*, Sept. 26, Oct. 29, 31, Nov. 3.

[611]¹ *Essex Inst. Hist. Colls.*, LV. 174.

² William Ellery, who resumed his seat in Congress Nov. 11, records in a diary of his journey from Dighton to Philadelphia (Oct. 24-Nov. 8): "Nov. 7th. . . . Lodged at Bensalem, Bucks County (William Rodman's). Spent the evening very pleasantly. The next morning rode to Philadelphia and put up for a night or two at my friend Redwood's, from thence went to board with that open, generous Whig Stephen Collins, and had John Collins my fellow lodger" (*Pa. Mag. of Hist. and Biog.*, XII. 194). Some letters from William Redwood to Ellery are *ibid.*, XI. 239.

³ Under Oct. 26 Holten recorded in his Diary: "By the Boston papers I perceive I am again elected to a seat in Congress." Under Nov. 28 he recorded: "I wrote a letter to the Council of Massa. Bay signifying my acceptance to a seat in Congress for the year 1779, in answer to their request."

612. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
PRESIDENT OF DELAWARE (CAESAR RODNEY).¹

PHILA. Nov. 7. 1778.

Sir

I had yesterday the honor of presenting to Congress Your Excellencys favor of the 4th Inst. and received an Order from the House to request that Your Excellency will call the General Assembly together as early as possible, this will more fully appear by an Act of Congress herein transmitted.

It is the earnest desire of Congress that the Assembly may attend to the Articles of Confederation immediately after their Meeting and be decided in their Instructions to their Delegates.²

613. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
WILLIAM MALCOM.¹

8th November [1778.]

Sir

Since my last of the 9th of August I had often urged Congress on the subject matter of yours of the 1st of that Month meaning more particularly the appointment of a Garrison Chaplain. at length, after laying before the House your repeated applications in your Letter of the 7th October and your Message by Captain Powell, your first Letter was called for, and the Reverend Mr. John Mason appointed Chaplain to the Garrisons in the Posts on Hudsons River in the Highlands, with the pay and subsistence of a Brigade Chaplain as will appear more fully by an Act of Congress of the 2nd Instant which you will receive in company with this, and will be pleased to transmit it to the Chaplain with my Compliments. If Mr. Mason has officiated in the Character of Chaplain for any time antecedent to the present appointment I have no doubt but that a Memorial certified by you will induce Congress to make a proper retrospect.²

614. ELBRIDGE GERRY TO JAMES WARREN.¹

PHILADELPHIA, Novr. 8th, 1778.

My dear Sir,

I am a little apprehensive that some of my Friends will consider Silence to their Letters, which an indifferent State of Health and much Fatigue has for some Time rendered inevitable, as an abatement of Friendship, but conscious of the sincerest Esteem for my Friend General Warren

[612]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Library of Congress, President's Letter-Book, II. 152.

² See no. 599, *ante*.

[613]¹ Library of Congress, President's Letter-Book, II. 154.

² See the *Journals*, Nov. 2. Col. William Malcom was chosen, June 2, deputy adjutant-general of the Northern department. This letter was addressed to him at Fort Clinton.

[614]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 229; *Warren-Adams Letters*, II. 64.

and having long experienced his Candour, I flatter myself he will consider such omissions, as they really are, the Effects of Necessity.² I shall trouble You with little, in Answer to your several Favours of the 13th May, 7th July, 4th Augt. and 3d Sep. last, as their early Dates render it unnecessary. The marine Comm'ee I presume, have taken the proper Steps to do Justice to Capt. Manly; the bravery of this officer seems not to be questioned, but many appear to Want Confidence in his Abilities and Experience, and on that Ground oppose his being high in office: I presume not to judge of their Motives and Designs on this Occasion, or without further Information, of his Character as an officer.³ I am much concerned to find, that You intend to quit the Business of the navy Board, as it will be soon an important and respectable Department.⁴ Under the present State of Affairs it is impossible to do Justice to the Commissioners, but Congress have increased their Salary to 3000 Dollars Per Year. perhaps you consider the Levity of the Times as an Argument for Quitting the Service, if so, I will readily acknowledge that the Vices of some and Follies of others are very displeasing; but in a Revolution like the present, necessarily producing an entire Change of the Governments and Constitutions of thirteen States, the Suspension of Law and Justice, the Want of necessary Arrangements for preventing Frauds, and the most favorable Oppertunities for Speculators and Ingrossers, it must reasonably be expected that the Morals of the people will be greatly injured, and for a while, present a gloomy prospect. but I trust, there is yet Wisdom and Vertue enough in America to recover her Citizens from their Errors, and lead a brave and deserving People into paths conducive to their Happiness. true it is the Work is arduous, And it is equally true, that it is necessary; for should We exceed in Power and Wealth every Empire on Earth, and neglect the Morals of the People, is it not evident, that our Independance, instead of Freedom would produce a Slavery, far exceeding that of every other Nation? If the best and ablest Friends of America, who under providence have opposed the corrupt Arts, not less than the powerful Arms of G. Britain, will unite in checking the Career of Vanity, Vice and Folly, the Leaders of this feeble Train will vanish at the Appearance of Opposition, and leave the Way clear to the promotion of the opposite Virtues; but if on the other Hand, those on whom We have principally relied, should suffer themselves to be disgusted at the natural appearance of *Bubbles* on the mighty Ocean of our affairs, and withdraw from the Service, I fear that our Liberties, like such short lived *phaenomenons* will burst, and leave not behind, a Trace of their former existence.

I know that You have had much Fatigue and Tryal, and met with many Things that are very disagreeable. I assure You that We have had a full Share of these in Congress; I most ardently wish to return to my native Country, and co-operate with my Friends in their salutary Measures. pray confer with our Friend Mr. Dana, on these affairs, as I

² In a letter to Samuel Adams Sept. 30 Warren says, "desire Mr. Gerry to let me know under his own hand why he has done writing to me" (*Warren-Adams Letters*, II. 47). Similar injunctions had been transmitted to Adams in several previous letters.

³ Cf. nos. 440, 496, 518, 532, *ante*.

⁴ See nos. 578, 602, *ante*, and no. 615, *post*.

am persuaded he can inform You of many Things which will assist You in pursuing the necessary Measures.

Adieu, my Dear Sir, after receiving my Warmest Wishes for the Health and Happiness of your Lady self and Family and believe me to be your sincere Friend and hum Sert.

E. GERRY

615. SAMUEL ADAMS TO JAMES WARREN.¹

My dear Sir,

I have receivd your favor of the 7 [25-27] ² October by Mr. Dod. I cannot say that I am by any Means pleasd with the inclosd Letter to [Congress].³ I am glad however that you allowd me the Perusal of it before its Presentation. I consider the Confidence you place in me in this Instance as sufficient to warrant me in delaying to deliver it, till I shall hear further from you, which I will accordingly do in hopes that you will alter your Determination.

We now begin to hope for Peace soon on our own Terms; or if the War should continue longer, that it will be conducted in such a Manner as will render a large Army less necessary, which will enable us to be at greater Expence for an American Navy; the building up of which is looked upon by all wise and good Men whom I converse with as necessary and highly important. General Whipple ⁴ is again returnd to Congress; and as he is a Man of Sense and great Experience in Marine Affairs, and was formerly of the Marine Com'tee. I was solicitous that he should again be of the Number. Congress have added him to the Committee, and I hope he will act as Chairman during the Absence of Colo. Lee who is gone to Virginia. From several Hints which Genl. W. has dropd to me, I am in Hopes that Measures will be come into which may add Weight to your Board and facilitate the Business of it.

The Navy Boards, especially that in the Eastern Department where it is probable there will constantly be a great Resort of our Ships of War,

[615]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 230; *Warren-Adams Letters*, II. 65.

² The letter to which Adams refers is dated Oct. 25, with a postscript dated Oct. 27, and a further postscript probably written Oct. 28. It is in the N. Y. Pub. Lib., Samuel Adams Papers.

³ The enclosure was a letter from Warren to the President of Congress, bearing the date Oct. 28, resigning his office as one of the navy board of the Eastern department (*Warren-Adams Letters*, II. 61). Warren mentions the enclosure under the date Oct. 25 (see note 2, above), but if he had then written his resignation he must have rewritten it Oct. 28. In the second postscript to his letter he says, "Will you please to Seal the Inclosed before delivery". The resignation was probably not presented to Congress, for in a letter to Adams, Dec. 8 (N. Y. Pub. Lib., Samuel Adams Papers), he says: "I have wrote to the President relative to the money received from Coll Baldwin and agreeable to your desire suspended the matter of resignation for further Consideration." At some later time the following statement was appended to the letter of resignation: "This resignation was not accepted by Congress, but at their request and the urgency of many other Gentlemen the writer continued to serve in that department for 2 or 3 years longer." (Cf. nos. 578, 602, 614, *ante*.)

⁴ Whipple took his seat Nov. 5. Samuel Holten records in his Diary of that day: "Genl. Whipple came to board with us." Whipple himself wrote to Richard Henry Lee Nov. 8 that he arrived Nov. 4, and added, "I have taken up my quarters at Liberty Hall" (*Memoir of Richard Henry Lee*, I. 216). See nos. 388, note 2, *ante*, 671, *post*.

will be standing Boards, and of the greatest Importance to the United States. The best Men must fill those Places.

I will not, least you should think me indelicate, add more on this Subject, than my *earnest Request* that you will for the present suspend your Resignation.

I am glad that you have discovered the Mistake you mention, and will communicate it.⁵

PHILADA., Novr. 9th, 1778.

616. HENRY LAURENS TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA 10th. Novr 1778.

Dear Sir,

. . . . I have now my Eye on your favor of the 5th. October.² I have learned enough of the services of our late friend in his Office of Commissary to know that the Public are much indebted to him and you may rely on me Sir, for doing every thing in my power to obtain suitable acknowledgements for the benefit of his family. You have no doubt been informed by Mr. Ellsworth that a report had been lately made on your Representation to Congress, that exceptions were urged to certain parts and that therefore the whole was recommitted. the best influence on that occasion was to assure my friends who were unacquainted with the merits of the late Mr. Joseph Trumbull that he had been one of the best Servants of Congress, that I was persuaded, had he been continued in the Office of Commissary upon his own terms, the Public would have saved five Millions of Dollars or more and many hundreds of Soldiers. to prove this to the satisfaction of every reasonable person, will not be difficult

⁵ At the close of Warren's letter above referred to he says: "I Beg Leave also to Inform Congress that by the Integrity and Honour of Coll. Laomi Baldwin (who Commanded a Regiment when I was Paymaster) I have discovered a considerable part of the deficiencies which I could not then account for. He has paid into my hands 576 dollars which after long Enquiry he has been Able to Account for no other way than from his receiving it from my office by mistake. This Money waits for the disposition of the Honourable Congress. I shall be happy in being fortunate enough to discover the remainder." The matter was brought to the attention of Congress in a letter of Warren Dec. 2, read Jan. 14, 1779, and Congress took action upon it Jan. 16. See also the *Journals*, May 27, 1777.

[616]¹ Conn. Hist. Soc., Papers of Jonathan Trumbull; Library of Congress, Force Trans., Trumbull, Misc., 1776-1779, II. 253; S. C. Hist. Soc., Copies of Letters mainly to Laurens, p. 275; Mass. Hist. Soc., *Collections*, seventh ser., II. 303.

² Trumbull's letter to Laurens, Oct. 5, is in Mass. Hist. Soc., *Collections*, seventh ser., II. 273. A letter to Laurens, embodying his memorial to Congress relative to the accounts of Joseph Trumbull, is *ibid.*, p. 279. His letter to Congress was read Oct. 15, and the committee to which it was referred made a report Nov. 2. The report is marked as "Recommitted 5 Novr.", and it does not appear that the committee made any further report until Mar. 31, 1779. Meanwhile, on Mar. 9, Thomas Adams was added to the committee, which had consisted originally of Richard Henry Lee, Bartlett, Ellsworth, and Samuel Adams. A letter from Governor Trumbull Feb. 11, 1779 (see the *Journals*, Mar. 5), appears to have stirred Congress to action. See nos. 567, 589, 601, *ante*, 617, 639, *post*.

In connection with this matter the *Journals* occasionally mention a letter from Trumbull of Oct. 8, but this is probably an error of the secretary. Trumbull's letter in Papers Cont. Cong., no. 66, vol. I., f. 414, is dated Oct. 6. It is printed in Mass. Hist. Soc., *Collections*, seventh ser., II. 279.

to me. it requires only a retrospect to the circumstances of our Army at Valley forge during the last winter and to the amazing advance of every species of provision immediately after the Stores which he had amassed were consumed.

I cannot on this occasion bound myself by five Millions. the want of forethought and Industry in his Successor occasioned an advance in the price of provision and every other article kept pace with that. the contrast of these Officers demonstrates the merit of the former, hence Sir, your requisitions and expectations on behalf of the surviving family do not appear to me to be ill grounded nor do I believe there would be any great opposition provided the Accounts were adjusted, or adjusted so far as circumstances will admit of. I shall make an opportunity to day for conversing with Mr Ellsworth on this subject and do myself the honor of writing to you again very soon. . . .

11th I have conversed with Mr Ellsworth who informs me the Committee have reconsidered their late report and are prepared to deliver another Report to the House. I hope this will be done tomorrow, and that the issue will afford you satisfaction.³

Congress seem to be now in earnest to proceed upon measures for realizing and appreciating our Paper Money. we may make of this a fine spun theorem, but unless we strike at the Root the cause of our immense emissions, the speculation of great public Officers, the practice of monopolizers etc., etc., we may drudge on, the Evil will remain and our Country will be reduced systematically to destruction. in a word Sir, that Patriotism which we affected to say had led us into the present contest, is out of fashion and unless we speedily revive it, we shall experience a violent convulsion which will go near to ruin us, and which will at least bring us into universal disgrace. I lament the prospect.

P. S. . . .

617. THE CONNECTICUT DELEGATES TO THE GOVERNOR OF
CONNECTICUT (JONATHAN TRUMBULL).¹

PHILADELPHIA, Novr 10th, 1778.

Sir,

We are honored with Your Excellency's Letter of the 2nd Inst. by messenger Brown.

The treasury arrangement we herewith transmit your Excellency, and have the pleasure to inform that the choice of Colo Trumbull to the head of it was unanimous.²

The equally alarming and embarrassed subject of finances is yet under consideration. Congress we trust, however, are nearly ripe for Resolutions respecting them, which may be salutary, if not decisive. A foreign Loan, how eligible soever, in our present circumstances, we have yet no

³ The *Journals* do not, however, indicate that it was done.

[617]¹ Conn. Hist. Soc., Trumbull Letter-Book (M. H. S.), vol. II., p. 141; Mass. Hist. Soc., *Collections*, seventh ser., II. 305.

² See the *Journals*, Sept. 26, Oct. 29, 31, Nov. 3, and nos. 559, 567, 589, 603, *ante*.

assurance can be obtained, and from the present warlike appearances in Europe, have less reason than heretofore to expect it. Establishing a Fund by taxes for sinking in process of time the capital debt, and by taxes and an internal Loan, taking out of circulation some of the past emissions to make way for future ones, is all, therefore, we are certain at present of being able to do. A rapid appreciation is not from hence to be expected, nor perhaps wished for.

The Committee on Your Excellency's letter of the 8th of October reported in favor of a commission to be allowed of half per cent. This mode of allowance some members objected to, as having been found pernicious and improper, in their opinion, to receive the farther countenance of Congress in any case whatever, though they wished ample justice to be done in this case, and seemed fully sensible it had not been heretofore.

The Letter, on motion, was recommitted to the same Committee, who wait a favorable opportunity of reporting again in favor of a gross sum, which they hope will be accepted and do justice. The fate of their second report Your Excellency will be informed of the earliest opportunity.³ . . .

We are, Sir, with great respect,

Your Excellency's most obedient and most humble servants,

ROGER SHERMAN

OLIVER ELLSWORTH

618. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA, 10th Nov. 1778.

Dear Sir:

. . . Congress have much at heart the routing of that nest of Pirates at St. Augustine, and have great expectations from your Excellency's exertions.² Flags of Truce are thought dangerous as they often bring seditious papers in order to distribute them amongst the people. You will no doubt Sir, endeavour to prevent the ill use which may be made of these kind of sanctions.³

619. GOUVERNEUR MORRIS TO GEORGE WASHINGTON.¹

PHILADELPHIA 11th Novr. 1778

D'r General.

As Congress have delegated to a Committee, of which I have the Honor to be a Member, the superintendence of the Commissary and Quarter

³ Governor Trumbull's letter here referred to as of Oct. 8 was dated Oct. 6. See nos. 567, note 2, 616, note 2, *ante*.

[618]¹ *N. C. State Recs.*, XIII. 270; *Potter's American Monthly*, V. 648 (dated Nov. 19).

² See nos. 482, 608, *ante*, 627, *post*.

³ See no. 568, note 2, *ante*.

[619]¹ Library of Congress, Letters to Washington, XXVIII. 310; Harvard Univ. Lib., Sparks MSS., no. 52, vol. III., f. 306; *Letters to Washington* (ed. Sparks), II. 226.

Masters Departments;² this, together with our Finances which we have long been cobling at, hath obliged me to consider in a more compleat view the State of our Affairs than my former detached Attention would permit, or indeed than my natural Indolence would have led to unsolicited by necessity. While I write to you you must read and interpret with the Eye and the Mind of Friendship, and suppose a greater modesty of Disposition than the Language may indicate. For tho I by no means beleive myself equal to the smallest of the Objects thrown upon me yet in speaking of them I must give a loose to my Imagination and my Pen nor can I find either Leizure or Inclination to attend to style.

First then it is a Position clear that we must act according to our Powers and not our Inclinations. It is I am afraid as clear that your Army will want subsistence if kept together. Neither the Quarter Master nor Commissary Departments can in the mercantile phrase do the needful while you are where you are. I take it the number of the Enemy and the Season are against active operations on their Part. Their situation the season our natural and political circumstances are equally against them on our Part. To ravage the Country and to cover it from being ravaged are then the two Objects. The first is base and beyond a certain Degree impracticable. The second is to a certain Degree dangerous and ideal. If it is reduced to a Question for instance whether the Counties of Bergen and Westchester shall be protected by our Arms or the Losses paid for I am ready to purchase the whole of both in Fee and lay them waste by way of saving money. The like I take it will hold good with Respect to the Environs of Rhode Island.

I cannot therefore help being of Opinion that few very few Troops should remain in the Eastern Department, but that many of them if many there be and a part of your Army should be cantoned along thro the Towns about the middle of Connecticut River. The Post in the Highlands cannot indeed be neglected and perhaps for the better Support of it another Post may be necessary about Fredericksburgh. To supply them with Provisions etc. will be very difficult and whenever the frosts shall become severe these posts will require much fewer men and therefore it may be good Policy to place those whose times are near expiring on that Ground. The sick etc can perhaps be better and safer kept at Albany than elsewhere and then a part of your Force will be there to cover them mount the necessary Guards etc. At Aquaquenonck Newark and Elizabeth Town advanced Parties may be posted to cover the interior Country and Communication. A considerable Body at Morristown will be necessary to secure the Magazines which may there be drawn to a Point from all the Communications and there most properly because perfectly secure and because naturally a good Forage Country. A small Body of Men will be necessary for the sake of Order etc. at Sussex Court House, Easton Coryell's Brunswick Princeton etc. Amboy will I imagine be too dangerous as by landing at the Blazing Star or in very cold weather on the meadows between that and Amboy they might be cut off. A Part of the Army might be quartered at Trenton Bordentown and Burlington and a Part at the Valley Forge.

² See the *Journals*, Nov. 5, 10; also no. 609, *ante*, and nos. 620-623, *post*.

The Wagons of every kind and Horses should be sent away from those not exposed. The advanced posts will require a few *good* Horses but they should have very little Baggage and only light very light Artillery. A few good Cavalry also may be requisite for the videttes. I cannot conceive that any Danger can arise from such Dispersion of the Army and I am confident they can in that way be much better fed. My principal view is I confess this that almost all the Horses of the Army may travel southward perhaps as far as beyond the Potowmack in the two Counties of Frederick and in Washington and Barclay Counties there to be boarded with the Farmers by which Means they will be fit for use as early as the Season will permit. The Cavalry might be quartered in little Villages and if the Officers are good the Men as well as Horses might improve. This Peace and Ease would help recruiting but I have said too much already. However as I have disposed of your Army Pray let me now dispose of their General. I think Philadelphia would be a very proper Place for him. In short Sir you must contrive to spend some time near Congress and I am confident you will do more good by establishing a good Understanding between them and the Army forwarding it's Business and the like than can easily be conceived. To all this I add that if the General the Quarter Master and the Commissary General are on this spot all the arrangements for the next Campaign will be properly made. One Thing more and I have done. It is that I wish most earnestly to see you. Adieu. I am yours

GOUVR MORRIS

620. A COMMITTEE OF CONGRESS TO THE SEVERAL STATES.¹

PHILADELPHIA 11th November 1778

In Committee of Congress.²

Sir

The great and increasing Difficulties in the Quarter Masters and Commissary Generals Departments have induced Congress to adopt the Resolution of which we have the Honor to enclose you a Copy. Among the measures immediately necessary for placing these matters on a proper foundation is the acquiring a Knowledge of the proper Resources of these States. The Articles of consumption which we would most particularly be

[620]¹ Md. Hist. Soc., Red Book, VII. 153; N. Y. State Lib., Assembly Papers, XXXII. 21; Mass. Arch., CC. 201; MSS. of W. D. Ely, Providence (to Rhode Island); N. J. State Library; *N. J. Rev. Corr.*, p. 130; Conn. State Lib., Trumbull Papers (M. H. S.), vol. XXVII., p. 144 (letter-book copy); Mass. Hist. Soc., *Collections*, seventh ser., II. 309 (to Connecticut); *Pa. Arch.*, first ser., VII. 84; *N. C. St. Recs.*, XIII. 272. (The original to North Carolina is listed in Henkels, *Catalogue*, no. 1074, pt. III., item 54.)

² Scudder, Morris, and Whipple were appointed, Nov. 5, a committee on a letter of General Washington, Oct. 29, and "empowered to take such steps thereon as they shall think proper". Again, Nov. 10, in consequence of a letter of General Greene, Nov. 6, relative to the commissary's and quartermaster's departments, the same members were appointed a committee to superintend those departments and were "empowered to take such steps relating to the same as they shall think most [advantageous] for the public service". The committee was acting therefore under two appointments. Prior to Nov. 11, that is, under their first appointment, only one letter of the committee has been found, namely, that of Nov. 5 (no. 609, *ante*). The series of letters of Nov. 11 indicate the principal activities of the committee as a self-directing body, but as a committee having general supervision over the commissary's and quartermaster's departments and to whom matters pertaining to those departments were frequently assigned it continued to function for somewhat more than a year, albeit with some changes of

informed of are Flour, Wheat, Rye, Barley, Oats, Corn and Rice. Beef, Pork, Working Oxen and Horses. Cyder and Vinegar. The ignorance and the interests of mankind oppose so strongly our wishes in this respect, that after every Effort and every prudent precaution, our information will perhaps be of far less importance than could be wished. It is however our Duty to aim at it and we have no reason to doubt your Excellency's Concurrence in the steps necessary to attain what we have in view, especially when it is considered how readily your own good Sense will dictate the impracticability of continuing the War, at least of continuing it to advantage, while we remain supremely ignorant of the supplies our Country is capable of affording. We have to entreat that your Excellency from your knowledge of the productions of the several parts of your State, would appoint some proper persons in whose Industry and Secrecy you can confide to make proper lists through the Districts you shall severally allott to them of the Quantity and number of such of the Articles above named as are produced in it which may probably be over and above the necessary consumption of the Inhabitants, and also as nearly as possible the quantity etc. which they consume over and above their own production or of what they do not produce. We hope that these lists may be transmitted to us with all imaginable speed to the end that proper arrangements may immediately be made for the ensuing Campaign. Upon transmitting an Account of the Expenses which may accrue in this business, they shall immediately be paid. You will perceive Sir that every precaution should be taken to prevent this Object from transpiring, least as on many former Occasions the Devoted Adherents of Lucre should make a gain of the Publick Distresses. We are respectfully

Your Excellency's Most Obedient and Humble Servts
 NATH. SCUDDER
 GOUVR MORRIS
 WM. WHIPPLE.

621. A COMMITTEE OF CONGRESS TO THE SEVERAL STATES.¹

In Committee of Congress² PHILADELPHIA 11th. November 1778
 Sir

The dangerous Practices of Engrossers have increased so rapidly with the Public Distresses, and have so accumulated them that every Friend to

personnel. On Jan. 23, 1779, Francis Lightfoot Lee was added to the committee, presumably in place of Nathaniel Scudder, who was then absent, and Apr. 22 John Armstrong was put in place of Lee. Aug. 17 Scudder was again placed on the committee, together with Jesse Root; Sept. 26 Jenifer of Maryland and James Mercer of Virginia were added, one of them in place of Whipple, who was absent; while on Nov. 5 Wynkoop of Pennsylvania and Forbes of Maryland were assigned to the committee, doubtless to take the places of Armstrong and Jenifer, both of whom were absent. The committee was discharged Nov. 25, 1779. See the *Journals*, Nov. 5, 10, 11, 1778, Jan. 9, 13, 23, Feb. 2, 8, Apr. 22, 23, 28, May 11, 17, Aug. 17, Sept. 6, 15, 26, Oct. 4, 18, 22, Nov. 5, 16, 25, 1779. Meanwhile another committee had been appointed Jan. 28, 1779, to take up the problem of remedying abuses in all the departments.

[621]¹ Md. Hist. Soc., Red Book, VII. 152; N. Y. State Lib., Assembly Papers, XXXII. 18; N. H. Hist. Soc., Weare Papers, vol. VI., p. 3; N. J. State Library; *N. J. Rev. Corr.*, p. 132; Conn. State Lib., Trumbull Papers (M. H. S.), vol. XXVII., p. 143 (letter-book copy); Mass. Hist. Soc., *Collections*, seventh ser., II. 308 (to Connecticut); *Pa. Arch.*, first ser., VII. 85; *N. C. State Recs.*, XIII. 273.

² See nos. 619, 620, *ante*, 622, 623, *post*.

this Country even to Humanity, cannot but wish to see some Remedy to an Evil, which threatens the Existence, not only of the several States, but of the poorer part of the Individuals which compose them. We are fully sensible that this Disease should be touched with a cautious and with a delicate hand, but at the same time, we confide in the wisdom of your Legislature, for this Delicacy and Caution. We do not pretend to mark out the means which they should adopt, but the Confidence reposed in us by Congress, demands, that we should at least hint what in our Idea may induce, to this Valuable purpose. The Articles necessary for the Consumption of the Army, are easily designated, And we trust there will not be much Difficulty in distinguishing between the Dealer in, or Manufacturer, of those Articles, and the Engrosser, or as he would call himself, the Speculator. These two Objects being accomplished, it surely cannot be deemed inconsistent, either with Policy or Justice, that he should be obliged to part with them to the Public. The process necessary for this purpose, must depend on the Civil Institutions which may have been respectively adopted, but it should be as short and as simple, as is consistent with the Constitution of the State. One thing more is necessary to compleat the System, namely the price. If this is such as to leave the Speculator his Profit, nothing more is operated by the Law, than merely to sanctify his unrighteous Gains. If the price be fixed by Law, the Efforts now making to render our money Valuable, (and which we doubt not your Legislature will assist by heavy Taxes,) will only tend to realize what he hath already accumulated. Perhaps a power lodged somewhere to fix the Market Price monthly, by the name of assize, and a deduction from it of about Twenty per Cent, on Commodities in the hands of Engrossers, would be most effectual. This however and every thing else we have mentioned, is submitted to your wiser Consideration.

We have the Honor to be

Your Excellency's Most Obedient and Humble Servants

NATH. SCUDDER

GOUV MORRIS

WM. WHIPPLE

622. A COMMITTEE OF CONGRESS TO THE SEVERAL STATES.¹

PHILADELPHIA 11th. November 1778

In Committee of Congress ²

Sir

Among the many Objects which occupy your mind, permit us to call your Attention for a moment to one of the first magnitude. In the States of New Jersey, Pennsylvania, Maryland and Virginia, the Distillery of Spirits from Grain hath become a very considerable and growing Manufacture. Amid the prejudices which it is natural to suppose the Parties concerned have raised, and the Arguments which may be adduced in it's favor, let us be permitted to mention some objections. The Effect of it in a moral point of view is certainly deserving of the first attention.

[622]¹ Md. Hist. Soc., Red Book, VII. 154; N. Y. State Lib., Assembly Papers, XXXII. 19.

² See nos. 619, 620, 621, *ante*, and no. 623, *post*.

Drunkenness, at all times a Crime and in this Case almost Self Murder is not discouraged by bringing the means of it home to every Mans own Door. And certainly there is the Best Authority to say that no Laws can diminish the Vice when the temptation is encreased; to lead the People therefore into it or wink at their being led, is to say the least not very meritorious. An additional Weight is given to every Argument of this Kind, when it is considered that Malt Spirits of all others most effectually enervate both the mind and Body, rendering the unhappy Patient not only a stupid and useless but also wicked and for the most part a dangerous Member of Society. But as no Political considerations should or indeed can influence a good Government to become inattentive to the Health and the Morals of it's Citizens, so we cannot doubt but that your Legislature will be most feelingly alive, when not only the Health and the Morals, but the Liberty, nay the Existence of the Society depend, upon the total prohibition of a practice at all times dangerous, but at present fatal

The scarcity which already begins to be felt may, for ought we know, become in the course of Providence a devouring famine. Pestilence, Famine and War but too naturally succeed each other, and tho' we have reasons to trust in the mercy of Heaven, to ward of these Evils, yet it is our Duty to take every precaution against them, which Providence can suggest, The foremost among these is certainly to prohibit the converting of that Bread, which was meant for the sustenance of Man into a Liquid poison for his Destruction. We do therefore most earnestly entreat Your Excellency, to recommend it in the strongest manner to your Legislature, immediately to enact Laws for this Purpose. Perhaps the seizing of (for the use of the Army) all which shall be distilled after a certain Day, at a low price to be paid to Commissioners, and expended in the maintenance of the poor, and particularly for the Comfort of sick and wounded Soldiers would be as effectual as any other, at the same time it would be paying a proper attention to those Brave Unfortunate Men, who have every Claim upon us, which Patriotism, Religion and Humanity, can possibly Confer.

We have the Honor to be

Your Excellencys Most Obedient and Humble Servants

NATH. SCUDDER

GOUVR. MORRIS.

WM. WHIPPLE

623. A COMMITTEE OF CONGRESS TO THE SEVERAL STATES.¹

In Committee of Congress ²

Circular

PHILADELPHIA 11th November 1778

Sir

Permit us to call your Attention for a moment to the detection and punishment of a Crime against the Public. Persons in Office under the

[623]¹ Library of J. Pierpont Morgan, Signers of the Articles of Confederation, p. 42 (addressed to the governor of North Carolina); N. Y. State Lib., Assembly Papers, XXXII. 17; Conn. State Lib., Trumbull Papers (M. H. S.), vol. XXVII., p. 146 (letter-book copy); N. C. State Recs., XIII. 273; Pa. Arch., first ser., VII. 88 (dated Nov. 14); N. J. Rev. Corr., p. 133.

² See nos. 619-622, *ante*.

Continent have, as we are informed, used the monies entrusted to them in the engrossing of Articles upon the Public. This seething of the Kid in its Mothers milk, calls for the most exemplary punishment. We pray that you will urge the Legislature of your State, to pass Laws for the prosecution and punishment of Offenders of this Kind in future, and that in the Interim your Excellency will cause any who may in your State be guilty of the like Crimes, to be secured for trial in safe and close Custody.³

We are respectfully

Your Excellency's most obt. and Humble Servants,
NATH. SCUDDER
GOUV. MORRIS
WM. WHIPPLE

624. JAMES LOVELL TO HORATIO GATES.¹

Novr. 11th 1778

Dear General

Before I received your confidential Favor of I had thrown out to you some sentiments resembling your own as to the effect on little minds which would probably be consequential of your change of Post.² I was sick at home when though[t]ful Yankies made the motion, founded in Regard to the real interest of the People at the eastward, and therefore honorable only by evident implication to you.

As to your moving without any continental Troops, I think good Reasons have been offered by Gl: W—— The Disposition which he had made prior to our sending the Direction for your going forward was as judicious as appearances and his acquired intelligence could prompt. But giving you a Ride was as little as we possibly could do in Compliment to those states who had always exerted themselves when their neighbours were threatned no more than they now actually were. Your Reputation was judged sufficient to dispel any possible fear in our own citizens and even to divert a plan of our enemies. . . .

625. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO JOHN SULLIVAN.¹

PHILADELPHIA. 12th. November 1778

Dear Sir,

I have not had occasion to trouble you with a letter since the 2d. Ult. in the mean time your several favors of the 25th. Sept., 18th. 26th. and 31st. October have reached me and have in due course been presented to Congress but at present I have no command from the House respecting their several contents.²

³ A further letter from the committee on the same subject, Jan. 19, 1779, will be found in vol. IV.

[624]¹ N. Y. Hist. Soc., Gates Papers, XIII.

² See no. 603, *ante*.

[625]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Library of Congress, President's Letter-Book, II. 159.

² See the *Journals*, Oct. 5, 26, Nov. 7, 9.

A report from the Board of War on the article of forage lies for consideration, I shall endeavor to bring it forward this morning and you shall as early as possible be informed of the event.³

Major Talbot's capture of the *Pigot* Armed Vessel afforded much satisfaction to Congress, his whole conduct in that affair is admired and applauded and I am persuaded that an occasion will be embraced for signifying the same to himself in terms of suitable honor.⁴

626. SAMUEL HOLTEN, DIARY.¹

[November 13, 1778.]

13. I rode out in the morning with Mr. Adams and Mr. Ellsworth. Met a Com^t at 5 o'Clock on a number of merchants' petitions.²

627. THE SOUTH CAROLINA DELEGATES TO THE PRESIDENT
OF SOUTH CAROLINA (RAWLINS LOWNDES).¹

14th November [1778.]

Sir

Inclosed Your Excellency will find a Resolve of Congress of the 10th Instant relative to an Expedition against East Florida.² In this Resolve there is a Clause which not being so clearly worded as we wished, makes it necessary for us to inform your Excellency of what was the sense of Congress upon it; the Clause is as follows. "That if Major General Lincoln shall be of opinion that the Continental Battalions of the States of South Carolina and Georgia etc." We conceived that this expression of the

³ See the *Journals*, Nov. 9, 30.

⁴ See the *Journals*, Nov. 7, 14.

[626]¹ *Essex Inst. Hist. Colls.*, LV. 175.

² The committee was appointed July 23 and did not make a report until Dec. 8. See nos. 454, 526, *ante*.

[627]¹ S. C. Hist. Soc., Laurens Letter-Book, 1777-1782, p. 219.

² See the *Journals*, Nov. 2, 3, 10. The proposed expedition against East Florida appears to have had its immediate origin in a letter from Gen. Robert Howe, Sept. 22, read in Congress Nov. 2 (the second of the two letters mentioned in the *Journals* of that day, that in *Papers Cont. Cong.*, no. 160, f. 483). A private letter from Howe to Laurens, of the same date (*Correspondence of Henry Laurens*, p. 126), emphasizes his official presentation of the matter, and indicates his personal concern to be assigned to the expedition in the event that it is undertaken. See also a letter of Peter Timothy to Laurens, Aug. 17, *ibid.*, p. 123. Cf. the *Journals*, Feb. 13 (p. 163); also nos. 482, 602, 618, *ante*, 694, 706, *post*. Prior to the arrival of Howe's letter Congress had already had under consideration a plan of attack upon St. Augustine prepared by the Marquis de Brétigny (see the *Journals*, Aug. 26, Sept. 21, Nov. 6). A proposed attack upon West Florida, taken into consideration somewhat earlier (see the *Journals*, July 21, Aug. 10), had been rejected Oct. 31. The report of the board of war, dated Oct. 10, on the basis of which the action of Oct. 31 was taken, bears a memorandum (see the *Journals*, p. 1084 n.) concerning "Mr. Murray's report". Among the Laurens Papers in the South Carolina Historical Society ("Miscellaneous Essays and Projects") is "E. Murray's Plan for an Attack upon West Florida", dated Oct. 3, 1778. This is no doubt the report referred to. The document includes, preliminary to Murray's suggestions relative to West Florida, a copy (translation) of the Marquis de Brétigny's plan of attack upon St. Augustine. In his report, which is addressed to the board of war, Murray mentions that Governor Galvez, in his letter of May 5, had "referred the Committee of Congress to whom he address'd his Letter for information from me respecting his critical situation with his neighbours in consequence of the protection and favors shown by him to Captain Willing and his Party".

Continental Battalions tended to destroy by implication the control of the President of South Carolina over two thirds of the effectives of the Battalions of that State as vested by the Resolution of Congress of the 18th of June 1776 and an amendment was moved to clear up the ambiguity. But it being universally declared in Congress that the Resolution as it stood did not impair that control and that no part of the Resolution of the 18th June 1776 could be affected by implication, or could be annulled but by expressions referring to that Resolution and annulling the whole or part of it the amendment was withdrawn as unnecessary: and we hereby inform your Excellency of the sense of Congress upon the subject.

We are Sir with the highest Respect and Esteem

Your Excellency's Most Obedt. and Most Humble Servts

HENRY LAURENS

W. H. DRAYTON

JNO. MATHEWS

RICH. HUTSON

628. RICHARD HENRY LEE TO THE GOVERNOR OF VIRGINIA
(PATRICK HENRY).¹

CHANTILLY Novr. 15th 1778.

My dear Sir,

. . . . Division among ourselves, and the precipice on which we stand with our paper money, are, I verily believe, the sources of their [the enemy's] hope. . . . I hope Sir you will pardon my saying so much on this subject,² but my anxiety arises from the clear conviction I have that the loss of our liberty seems at present more likely to be derived from the state of our currency than from all other causes. Congress is fully sensible of this, and I do suppose, that in order to detect forgeries and reduce the quantity, it will be requested of all the States to call into the Loan Offices the Continental emissions previous to april last, by compulsory laws. This is a bold stroke in finance, but necessity, and experience in the Eastern States, sanctify the measure.³ The next cause that threatens our infant republics, is, division among our selves. Three States yet refuse to Confederate, Maryland Delaware, and Jersey. Indeed N. York can scarcely be said to have confederated since that State has signed with this condition, to be bound in case all the States confederate. Maryland, I fear will never come in whilst our claim remains so unlimited to the westward. They affect to fear our power, and they are certainly envious of the wealth they suppose may flow from this source. It is not improbable that the secret machinations of our enemies are at the bottom of this. Some of the most heated Opponents of our claims, say that if we would fix a reasonable limit, and agree that a new State should be established to the

[628]¹ N. Y. Pub. Lib., Myers Coll., Distinguished Americans; *Letters* (ed. Ballagh), I. 451; Henry, *Patrick Henry*, II. 10.

² That is, excessive emissions of paper money and extensive forgeries.

³ See the committee report in the *Journals*, Oct. 28, and the proceedings thereon (index, Finance).

Westward of those limits, they would be content to confederate.⁴ What do you think Sir of our proposing the Ohio as a boundary to the Westward, and agreeing that the Country beyond shd. be settled for common good and treated a new State on condition that compensation reasonable should be made us for Dunmores, Colo. Christians, and our late expeditions. This might perhaps be agreed to and be taken well as coming freely from us. When we consider the difficulty of republican laws and government piercing so far from the seat of Government and the benefit in point of oeconomy from having a frontier State to guard us from Indian wars and the expence they create, I cannot help thinking that upon the whole this would be our wisest course. We should then probably unmask those who found their objection to Confederacy upon the extensiveness of our claim, and by having that bond of Union fixt foreclose for ever the hopes of our enemies. . . .

629. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO LORD STIRLING.¹

15th November [1778.]

My Lord

I had the honor of addressing Your Lordship the 10th Instant by Dugan and last night of receiving your favor of the 11th with two New York-Garrison Papers. such parts of Your Lordships intelligence as I know will be acceptable to Congress shal be communicated to the House tomorrow, accompanied by a necessary hint respecting publication.²

The false representations contained in the Newspapers of the several attempts made on the part of the Commissioners for treating with Congress, their account of the designs and desire of that body equally false, discover in those Commissioners and their Coadjutors a despair of Conquest, their business is therefore to blind the understandings of the Nation whom they have reduced to the verge of ruin and overwhelmed with disgrace. This subterfuge will not long screen them, the Nation will be better informed, and misfortunes will give an edge to their resentments. . . .

630. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO THE
PRESIDENT OF DELAWARE (CAESAR RODNEY).¹

PHILADELPHIA 16th November 1778.²

Sir

. . . . 17th You will likewise receive an Act of Congress for holding a general Thanks giving throughout these States on Wednesday the 30th

⁴ See nos. 424, 456, 599, 612, *ante*, 630, 638, *post*.

[629]¹ Library of Congress, President's Letter-Book, II. 165.

² The *Journals* contain an erased entry under Nov. 16 recording the reading of letters from Stirling Nov. 11 and 13. These letters, together with a number of other letters from Stirling to Laurens, are printed in *Hist. Magazine*, II. 322.

[630]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Library of Congress, President's Letter-Book, II. 180.

² Samuel Holten's record in his Diary for this day is: "Congress Resolved themselves into a Com^t of the whole house to consider the state of our money and finances."

December next—and three Copies of the Treaty of Amity and Commerce and of Alliance eventual and defensive between his Most Christian Majesty and these United States for the information and use of the State of Delaware.³ 18th Your Excellency's favor of the 15th this Morning presented to Congress afforded the House much satisfaction.⁴

You Sir, and the privy Council have done your parts. Congress confide on the General Assembly to Co-operate with you for the benefit of the Union particularly by acceding to the Articles of Confederation. The State of Jersey have Resolved to Ratify, we trust that Maryland and Delaware will not much longer be delinquents.

631. JOSEPH REED TO WILLIAM IRVINE.¹

PHILAD., Nov. 16th, 1778.

Dear Sir

Tho I am very much engaged in other Business I cannot let Gen. Armstrong go to Carlisle without acquainting you of the Steps I have taken upon your Claim. On my Return from Camp I made due Inquiry and found that Gen. Hand had been promoted in the Manner then suggested viz. upon the Nomination of North Carolina.² Being satisfied of this in making Report to Congress and recommending General Officers in the Name of the Committee I stated the several Facts which the Delegates of North Carolina admitted were truly stated, but declared they could not consent to receive Gen. Hand as their Officer. I then stated Col. Magaw and yourself as standing next in order of rank. That Col. Magaw being a Prisoner, if a Brigadier was indispensably necessary at present as Gen. Washington intimates you stood intitled, but in this case Col. Magaws Right should be saved either by Agreement between yourselves or by express Reservation, as it would be a great Injustice that a good Officer

³ Laurens wrote to each of the states Nov. 16, principally transmitting sundry acts of Congress. On the 17th, as here, he made an addition to each of these letters, mentioning the enclosure of copies of the treaties with France. Congress had passed an order Nov. 4 that 300 copies of the treaties be printed, and Harnett intimates (no. 642, *post*) that Laurens had distributed them too freely before the members of Congress were supplied. *Cf.* no. 657, *post*.

⁴ There is no record of a letter of Nov. 15 from Rodney, but the *Journals* record that a letter from him dated Nov. 13 was read Nov. 19, and this is probably the letter referred to. It states that with the concurrence of the privy council he had called the assembly to meet Nov. 23. In a letter of Nov. 4 Rodney had explained that the assembly which had been called together principally for the purpose of taking action upon the Articles of Confederation had, by the dispersion of the members, become dissolved, and Congress had requested him to call the assembly together again "as soon as possible" (see the *Journals*, Nov. 6). The ratification by the Delaware assembly bears the date Feb. 1, 1779 (see the *Journals*, Feb. 16), and the signatures of the delegates were appended May 5. See nos. 599, 612, 628, *ante*, 638, *post*.

[631]¹ *Hist. Magazine*, VIII. 129.

² Edward Hand was made a brigadier-general Apr. 1, 1777, a promotion which was vigorously protested by the North Carolina officers (see vol. II., p. 325 n.). Just when the proceedings to which Reed next alludes took place is not certain, but presumably about the middle of October, when the report of the committee of conference, of which Reed was a member, was under discussion. The report was brought in Oct. 9 and taken into consideration Oct. 12.

should lose his Right by the mere Fortune of War.³ The Generosity of your own Mind I am sure will lead you to approve this Rule of my Conduct. Thus the Matter stands—Carolina says she will not have Genl. Hand. Pennsylvania should say and I trust will, that having nominated him she must be bound by her Nomination or the Rights of others will be invaded. Gen. Hand's Merit as an Officer is not questioned, it is a Question more affecting to the States of Carolina and Pennsylvania, than a personal Question.

I have not now the Honour of a Seat in Congress but as far as lays in my Power shall convey the Sentim'ts I have expressed to those who succeed me and hope they will have their due Weight.⁴

632. HENRY LAURENS TO GEORGE WASHINGTON.¹

PHILADELPHIA 20th Novem 1778

Dear Sir,

I feel myself doubly honored by your favor of the 14th Inst. from the confidence of General Washington in the free communication of his sentiments and in the coincidence of his Ideas with my own, upon a question, on the wise decision of which the Inheritance, possibly the establishment, of the freedom and Independence of these States, seems to depend. The respect Sir, which I owe you demands an immediate reply, and yet the variety of avocations in which I am engaged, do not afford me moments for arranging or expressing my thoughts suitably to the importance of the subject; I am nevertheless encouraged to proceed without hesitation from a conviction, that, were I to deliver my opinions at full length I should be obliged to borrow Your Excellency's words, which I have the honor of assuring you Sir, are in more than one Instance, repetitions of my own, and that in every other, one excepted, our sentiments on this momentous discussion exactly accord.

I believe and upon good ground, the scheme for an expedition into Canada in concert with the Arms of France originated in the breast of the Marquis de lafayette, encouraged probably by conferences with Count d'Estaing and I also believe it to be the offspring of the purest motives so far as respects that origin, but this is not sufficient to engage my concurrence in a measure big with eventual mischiefs.

As deeply as my very limited time and faculties had suffered me to penetrate, I had often contemplated our delicate connection with France, and although it is painful to talk of ones own foresight, had viewed and

³ Cf. no. 559, *ante*. According to the arrangement of Pennsylvania officers Nov. 12, 1777, Magaw preceded Irvine (see the *Journals*).

⁴ The matter was brought before Congress Jan. 26, 1779, in a letter from Reed, who had become president of Pennsylvania. The committee to whom the letter was referred made a report May 11, upon the question of Pennsylvania's right to additional brigadiers, and on May 12 Irvine was chosen a brigadier. There still remained a question of rank as between Irvine and Hand (see the *Journals*, Jan. 29, Feb. 29, 1780), which was not adjusted until July 4, 1780 (report of board of general officers, in Washington Papers). Irvine's letter, read in Congress Jan. 29, 1780, and mentioned in proceedings of Feb. 29, is in the Washington Papers under Jan. 23, 1779.

[632]¹ Library of Congress, Letters to Washington, XXIX. 122; *Letters to Washington* (ed. Sparks), II. 233.

foretold fifteen Months ago the humiliating state to which our embrio independence would be reduced by courting from that Nation the loan of more Money than should be actually necessary for the support of the Army and of our unfortunate Navy.

I was one of the six unsuccessful opponents to the resolution for borrowing Money from France for paying the Interest of our loan Office certificates. We have in this single article plunged the Union into a vast amount of debt, and from neglecting to exert our very small abilities or even to show a leading disposition to cancel any part of the former demand against us, our Bills for that Interest are now floating in imminent danger of dishonor and disgrace. Fully persuaded of the true value of National honor I anxiously wished to support our own by a propriety and consistency of conduct and I dreaded the consequences of subjecting our happiness to the disposal of a powerful Creditor, who might upon any specious grounds, interpret National honor to our destruction. I warned my friends against the danger of Mortgaging these States to foreign powers. Every Million of livres you borrow implies a pledge of your Lands, and it is optional in your Creditor to be repaid at the Bank of England with an exorbitant Premium, or to collect the Money due to him in any of your Ports and according to his own mode whenever National Interest shall require the support of pretended National honor. Hence Your Excellency will perceive what were my feelings, when the propositions for subduing Canada by the aid of a french fleet and Army were first broached to me. I demurred exceedingly to the Marquis's scheme and expressed some doubts of the concurrence of Congress, this was going as far as I dared consistently with my Office or considering him as a Gentleman of equal honor and tenacity. I trusted the issue of his application to the sagacity of Congress, the business was referred to a Committee who conferred with the Marquis, their Report was framed agreeable to his wishes, but the House very prudently determined to consult the Commander in Chief previously to a final determination, and although Your Excellency's observations are Committed, I am much mistaken if every Member in Congress is not decided in his opinion in favor of them. If the prosecution of so extensive a project is from the present state of our Army and funds impracticable on our part, it becomes altogether unnecessary to discuss the point in a Political view. And I trust the Marquis will be satisfied with such reasonings in apology for our desisting from the pursuit of his favorite enterprise as our circumstances will dictate.²

² The "Plan of an Attack upon Quebec", which is found in the *Journals* under Oct. 22, in connection with the instructions to Franklin, was ordered by Congress to be submitted to General Washington for his observations upon it, and this was done by the committee of foreign affairs, Oct. 27 (letter signed by Richard Henry Lee and James Lovell, Library of Congress, Washington Papers). Washington submitted his observations at length in a letter of Nov. 11, and in a private letter to President Laurens, Nov. 14 (that to which Laurens is here replying), he made further observations which he did not deem wise to include in his official letter. In a letter to Schuyler Nov. 20 he also discussed the military aspects of the undertaking. (These letters are in Washington's *Writings*, ed. Ford, VII. 239, 260, 265; the last two also in *Writings*, ed. Sparks, VI. 106, 114.) Washington's letter of Nov. 11 was read in Congress Nov. 19 and referred to "the committee on the letters from the Marquis de la Fayette", whose report

The immense debts which we are involved in abroad and at home demand the most serious attention and call for an exertion of the collected wisdom of all these States in order to secure what we have saved from the ravages of the Enemy. I am very short sighted, if there be at this time any encouragement for attempting distant conquests.

I have been uniformly averse from every proposition which tended to dissipate our strength and to accumulate our debt. Events have confirmed my opinion, and at this Instant taking in view all circumstances I have doubts of the Policy and more of the success of the pending expedition against East Florida. Congress will probably recommend to the States to raise a Tax of near 20 Millions the ensuing Year. this I hope will have a good effect, by returning many of us to first principles from which we have been too long wandering this almost intolerable burthen will rouse and animate our fellow Citizens, they will probably send Men of abilities to investigate Causes, to enquire into expenditures and to call delinquents for unaccounted Millions to severe reckonings, they will do what they have hitherto shamefully neglected, pass necessary Laws for this purpose. This heavy Tax and the prospect of increasing impositions will show our constituents the necessity for consolidating our strength, as well as the impropriety and danger of new extensive Military enterprises. Virtue and patriotism were the Motto of our Banners when we entered this Contest. where is virtue, where is Patriotism now? when almost every Man has turned his thoughts and attention to gain and pleasures, practising every artifice of Change Alley or Jonathan's, when Men of abilities disgracefully neglect the important duties for which they were sent to Congress, tempted by the pitiful Fees of practicing Attornies, when Members of that Body artfully start a point, succeed, and then avail themselves of the secrets of the House, commence monopolizers and accumulate the Public debt for their private emoluments; I believe many such tricks have been acted. the particular instance which I allude to cost these States a large Sum of Money without putting the Criminal to the expence of a blush—When Men in almost every important public department are actually concerned in Commerce incompatible with the strict duties of their respective Offices, when the most egregious delinquents meet with support in Congress and escape examination—I

was brought in Dec. 5 and was adopted. The committee originally appointed, Sept. 14, to prepare the instructions to Franklin consisted of Gouverneur Morris, Chase, Drayton, Samuel Adams, and Richard Henry Lee; that first designated to report on the Lafayette letters, Oct. 13, consisted of Morris, Lee, Witherspoon, and Adams, to whom Drayton was immediately added, while Witherspoon was added to the committee on instructions. As Chase had left Congress, this made the two committees identical in personnel. When the instructions were under consideration some amendments were offered by William Duer, which brought it about that Duer was added to the committee on that subject (Oct. 24). It also thus came about that, while the instructions to Franklin are recorded in the *Journals* under Oct. 22, they were not finished until Oct. 26, and actually bear that date (see the *Journals*, pp. 1041 n., 1064 n.). The committee report of Dec. 5 was transmitted to Washington, and in consequence of a suggestion from him Dec. 13 (*Writings*, ed. Ford, VII. 285, ed. Sparks, VI. 134) he was called to Philadelphia for a conference (see the *Journals*, Dec. 17, 18, 24). An immediate outcome of the conference (Dec. 24-Jan. 31) was the adoption, Jan. 1, 1779, of a report recommending the abandonment of the Canadian expedition. Cf. Sparks, *Life of Gouverneur Morris*, I. 189, and Jay, *Life of Jay*, I. 83. See also no. 602, *ante*, and no. 661, *post*.

am tired and fear tiring you Sir with this horrible half finished picture. I will therefore leave it but not before I add that the United States of America are in most deplorable circumstances, that the acquisition of a Foreign Minister has fixed the eyes of Europe upon them; that their weaknesses and their wickednesses are no longer hidden, that the States respectively are much to blame, and that without speedy reformation their shame and ruin collectively will follow.

The disaster of Admiral Byron's fleet and the successful departure of Count d'Estaing's are events much in our favor, that is to say, if we are pleased to make a wise improvement of them but from experience fearing the contrary I am almost tempted to wish they had not happened these fortunate circumstances will lull us to sleep again, and while our Ally is gaining honor aggrandizement and the highest national advantages we shall be sinking into a State little better than tributary and dependent. be this as it may the World will ever honor by acknowledging the virtues of the Man who from my inmost Soul I believe keeps us at this Moment from crumbling.

633. HENRY LAURENS TO STEPHEN DRAYTON.¹

21st November [1778.]

Sir

I have been near two Months in possession of your favor of the 5th of September without power to make a proper reply until the present opportunity because Congress had not determin'd upon the appointment of a Deputy Quarter Master General earlier than the 17th Instant.

Within the present Inclosure you will receive an Act of Congress of that date, by which you will be informed that you were then unanimously elected to the Office abovementioned, and this Act will be your Warrant for proceeding in the execution of the Duties of your Appointment.

I have had more than one conference with the Board of War respecting your Rank. The Board are of opinion that there is no Rank incidental to the Office, and therefore decline the insertion of Rank in a Commission. I have instanced the Commission of your Predecessor, to this I have been answered that there had been some management in that case unknown to Congress, and altogether improper. This opinion seems to be supported by referring to all the Deputy Quarter Masters in the other Departments, none of whom, as far as my knowledge extends have Rank in the Army as of right annex'd to the Office, altho' they are generally complimented with the title of Lieutenant Colonels. In the late Arrangement of the Quarter Master's Department, not a Commission has been issued from my Office, and I observe that the Commander in Chief directs to my Neighbour, commonly call'd Colonel Mitchell, "John Mitchell Esqr. Deputy Quarter Master General." You will naturally ask, have Congress established no Rule in this Case? This shall be my enquiry, and if I discover that you are entitled to Rank, by Rule or established precedent, you may

[633]¹ Library of Congress, President's Letter-Book, II. 184. Addressed, "Stephen Drayton Esquire, Charlestown So. Carolina by Sharpe".

depend upon receiving a proper Commission by the next Messenger to Charlestown. in the mean time I will endeavour to prevail on my Honorable Colleagues to move Congress for an appointment in your favor of Quarter Master General of the Southern Department. There appears at present an absurdity in the term of Deputy, when compared with the Appointment of Major General Greene, and his power of appointing all his Deputies, from whom you receive no instructions, nor are you in any respect accountable to him under an Appointment descending directly from Congress. I will not trouble you Sir, with further reasonings on this subject, you will perceive my inclination from what I have already said to obtain for you all that of right appertains to your Office. I know that heretofore Commissions have been shamefully prostituted, and I am informed that former Deputy Quarter Masters in several instances from favoritism and other vicious sources derived Rank; if this be true, I am too well acquainted with your Principles Sir, to suppose you would wish me to follow such examples. the Army cried aloud against them, and the late Arrangement was intended to prohibit and abolish the practice.

P. S.

Upon further investigation I find that the Officers under General Mifflin as Quarter Master General were entitled to Rank, and Colo. Mitchell informs me that none of the Deputies of Major Genl. Greene in the present Establishment have Commissions. As Commissions have f[ro]m necessity been lodg'd in the hands of Governors Presidents of States and General Officers and no returns made of the disposition of such Commissions, it has been hitherto impossible for the President of Congress or the Board of War to ascertain with precision an Army list. this *has occasion'd much clashing of Rank*. We are now *endeavouring to lessen the mischief*, and if possible to remove it altogether.²

634. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
FRANCIS HUGER.¹

21st November [1778.]

Sir

I was honored with your favor of the 27th August and the 13th Instant. It was left at my house by some unknown hand. I presented it the next day to Congress, and was directed to lay it on the Table, from an opinion, as I conjecture, that the subject could not be taken under consideration consistently with the present Arrangement of the Quarter Master Generals Department nor the Brevet Commission granted in contravention of an Act of Congress declaring that such Commissions shall not entitle the parties to whom granted to any Pay.²

² See the *Journals*, Sept. 29, Nov. 17. Cf. no. 634, *post*.

[634]¹ Library of Congress, President's Letter-Book, II. 186. Addressed, "Francis Huger Esquire So. Carolina by Sharpe".

² The act to which Laurens refers is that of Apr. 30, 1778. There is no record in the *Journals* of the presentation of Huger's letter. From a committee report in the *Journals*, Nov. 17, it appears that he had resigned his office as deputy quartermaster-

635. SAMUEL ADAMS TO JAMES WARREN.

Philada. Novr. 23, 1778.

My dear Sir,

I have lately receivd a Letter from our worthy Friend Mr. J. A. of an old Date, the 21st of May.² "Our Affairs says he in this Kingdom, I find in a State of Confusion and Darkness that surprizes me. Prodigious Sums of Money have been expended and large Sums are still due; but there are no Books of Accounts nor any Documents from whence I have been able to learn what the United States have receivd as an Equivalent." And yet we are told by a Gentleman lately from France that the Accounts and Documents were left in the Hands of a Person in Paris. My Friend A. L.³ is called by those who dread his Vigilance "a dissatisfied Man." Having receivd many Letters from him since I last saw you, I know he is dissatisfied. What Man who regards the Publick Interest, or his own Reputation, can be satisfied, when he sees Millions of Livres spent, himself accountable with others for the Expenditure, and the Man through whose hands the greatest Part has passd without consulting him after being repeatedly called upon by him, unready or unwilling to account for them. There are other Things which my Friend complains of, and I think not without Justice. . . .

Decr. 9.

The foregoing I had laid aside, and probably should never have forwarded it to you, had not an extraordinary Peice appeard in the last Saturday's paper⁴ signd S Dean, in which he avows himself to be the Author of the Queries I sent you a few Weeks ago.⁵ I believe you will find the Plausibility of this Performance, which I shall inclose, to be answerable to a Character I have given you in the Letter above. He "had the Honor to be the Commercial and political Agent of America in Europe." He might have said more justly that he had the Honor of being employd by the secret Committee of Commerce as their Agent, and by the secret Committee of Correspondence as their Intelligencer.⁶ Mr. A Lee he says "having by a wanton Display of his Errand, given great and just Cause of Disgust to the Court of Spain, returnd." I will relate to you certain Matters which may explain, if that Court was disgusted with him as Mr. D asserts, how it came to pass. Soon after the secret Committee was appointed, which if I remember rightly was about three years ago, they wrote a Letter to Mr. Lee then in England, requesting a political Correspondence with him, and desiring he would give them the

general in the Southern department, and from the letter of Laurens it may be inferred that he was seeking pay in accordance with the brevet rank that he had obtained. The notice of him in Heitman, *Hist. Reg.*, gives him the rank of lieutenant-colonel. Cf. nos. 290, 315, 633, *ante*. It should here be noted that the index to the *Journals* is in error in assuming that the Colonel Huger mentioned in the *Journals* May 29 and Nov. 17 was Col. Isaac Huger. It was Francis Huger.

[635]¹ Mass. Hist. Soc., Warren MSS., vol. 3, p. 231; *Warren-Adams Letters*, II. 67.

² John Adams's letter of May 21 is in Wharton, *Rev. Dipl. Corr.*, II. 591.

³ Arthur Lee.

⁴ The *Pennsylvania Packet* of Dec. 5. See nos. 658, 669, *post*.

⁵ See nos. 564, 566, *ante*.

⁶ See vol. I. of these *Letters*, pp. 372-377; cf. no. 564, *ante*.

best Intelligence he could, and *pledging* to him their *Confidence*.⁷ Mr. Lee being thus *honored*, in Mr. Deans Sense, as a *political Agent of America*, and having the solemn Assurance of Confidence and Secrecy, with his usual fidelity and as became him in that Character, proceeded with unsuspecting Frankness to open to the Committee what he thought as well as what he knew of Men and Measures. There was at that time in England a Mr. Carmichael,⁸ who is lately arrivd in America and since appointed a Delegate in Congress for the State of Maryland. Mr. Lee had a good opinion of this young Gentleman; and he being at that time about to return hither by the Way of France, Mr. Lee thought him a safe hand, and entrusted him with Dispatches to the secret Committee. His Letter was written on the inner Sides of the Outside Leaves of a small pocket Dictionary, and so neatly closd to the Covers as not to afford the least Suspicion if it should meet with the Fate of being taken by the Enemy. Mr. Carmichael took the Dictionary and went over to France where he remaind till his late Embarkation for Portsmouth at which place he arrivd last Summer. In France he met with Mr. Dean. The Letter was opend! Who probably committed this Act, Mr. Dana can inform you as well as I can. To him I refer you. I desire you would ask him and if you please let him know that I desire it of you. He can tell you more than I chuse to trust in writing. I hope you are by this time become confidential with him. But this is Digression. I have seen the Letter. It is dated the 3d of June, '76. There are containd in it free Sentiments of the Minister of Spain, but such as a Man of Mr. Lees Integrity could not withhold from the Committee.⁹ Such Intelligence, I must say, being thus pyrated, Such Secrets betrayd, Judge who "wantonly displayd his Errand," and by whose Means the Court of Spain saw Cause to distrust Arthur Lee, if they did distrust him. I say if they did distrust him, because I doubt the Fact. If they restricted him to the City of Burgos, as Mr. Dean says, I rather think it was owing to the Caution of that Court, least she should too early offend the Court of London by giving Countenance to an American Commissioner.

Mr. Dean says, "At this Place (Berlin) he (A. L.) was so unfortunate as to do nothing, unless indeed he may give the Name of Business to the Loss of his Papers," by which a Discovery was made of the Secrets of his Colleagues and the British Ministry enabled to counteract the Measures taken for the Benefit of America. The Anecdote is this.

⁷ The secret committee was created Sept. 18, 1775, the members appointed Sept. 19; the committee of secret correspondence was created Nov. 29, 1775. The letter to Arthur Lee to which Adams refers is doubtless that of Dec. 12 from the committee of secret correspondence (vol. II., no. 391, of these *Letters*; Wharton, *Rev. Dipl. Corr.*, II. 63).

⁸ Concerning William Carmichael, see especially S. F. Bemis, "British Secret Service and the French-American Alliance", in *Am. Hist. Rev.*, XXIX. 474 (April, 1924). See also the *Journals*, Sept. 18, 22, 26, 28, 29, 30, Oct. 5, 14, and nos. 524, 528, 529, 545, 549, 554, *ante*. Cf. no. 662, *post*.

⁹ Concerning Arthur Lee's letter of June 3, 1776, see no. 467, *ante*. The "free sentiments" here alluded to are found in the sentence, "Spain is more reserved, her minister here an old woman, but assuredly when France moves Spain will co-operate".

For Deane's account of the dictionary episode, see his "Narrative", N. Y. Hist. Soc., *Collections: Deane Papers*, III. 154-156. Cf. *ibid.*, p. 152.

In Berlin, Mr. Lee being invited and dining abroad, the British Envoy found Means to get his Closet and his Trunk *forc'd* open and his Papers were pilfer'd. But Mr. Lee having Intelligence of it, immediately made Application to the Minister of Berlin and by his Interposition the Papers were return'd; as I am inform'd in a few hours. Mr. Dean designs to hold up my worthy Friend in this Instance as careless of the Secrets of his Colleagues. But what Security is there against the Rape of the Lock? This indeed is the second Instance of his losing his Papers. The first by the Behaviour of the Person to whom he had regularly committed them, for which I will not now give a Name; and the other by the Theft of a British Minister. If he had been as fortunate in the early discovery of the one as the other, Mr. Dean might allow "the Name of Business" to be given, if not to the Loss of his Papers, to his Activity and Address in recovering them.

It is pleasant to see Mr. Dean indulging his Talent in Insinuation to lead his Readers to conclude that A. L. was secretly intriguing with the British Ministry and thereby embarrassing our Affairs in France. His Acquaintance with the Earl of Shelburne who had formerly been his Patron in England, was the Ground of Suspicion of his disclosing our Secrets; "joynd to his undisguis'd Hatred and Expressions of Contempt of the french Nation in General."

I have good Grounds to be satisfied from a Conversation I have had with a Great Man¹⁰ who ought to be and undoubtedly is perfectly acquainted with the French Court, that Mr. L is thought of there differently from what Mr. Dean would have the People here think of him, and that the Insinuation "that he had given universal Disgust to the Nation whose Assistance we solicited" is void of any just Foundation. But so long ago as "in the Summer of 1777 a Correspondence between a certain Dr. Berkenhout and the Hon Arthur Lee Esq took place." Aye, and it was "on political Subjects." If Mr. L had left it to be discover'd by the Sagacity of others that there was such a Correspondence between him and Dr. Berkenhout and that Dr. B. was in the Confidence of the British Ministry, Mr. Dean might have suppos'd there were Grounds to suspect Mr. L's Integrity; but unfortunately Mr. Lee told it himself to his Colleagues and related to them a Part of the Correspondence. Mr. D would here insinuate as he did in his Queries that it was a criminal Correspondence. But if it has been, would Mr. Lee have expos'd himself to Mr. Dean? The Man whom he conceiv'd to be his mortal Enemy? Surely not. A wise Minister will endeavor to possess himself of the secret Designs of the publick Enemy. This is done by a Variety of Means. Mr. Lee corresponds with Dr. Berkenhout (as Mr. Dean says) a Confident of the British Ministry. A shortsighted Politician believes or a prejudic'd and designing Man insinuates that it is a Criminal Correspondence. If it was so, Why was not Mr. D who knew it in the Summer of 1777, so faithful as to acquaint his Constituents, the Congress, of it? To have done this would have shown the Appearance of Fidelity. He

¹⁰ The French minister, Gérard. Cf. the "Paca-Drayton Information", under Apr. 30, 1779, in vol. IV., and other statements there cited.

relates a Story and he says himself "simply" thus. "A Gentleman of Character told me that his Correspondent in England" etc. (See the 3 Collumn of his piece.) Who this Gentleman of Character is, and who the Correspondent in *England*, it was needless to tell us; but we learn that in Mr. D's Opinion a Gentleman of Character *may* have an English Correspondent. This Correspondent informd this Gentleman of Character, and because Mr. Dean tells us so, it is sufficient for us faithfully to believe it and damn Dr. Lees Character. But I fear I have tired your Patience. Adieu.

636. SAMUEL HOLTEN, DIARY.¹

[November 23, 24, 1778.]

23. Congress sit in the evening untill after 10 o'Clock. I received a letter from Miss^t Holten per the post.

24. I sent to the Council of Massachusetts the treaty of alliance with France.

637. THE PRESIDENT OF CONGRESS (HENRY LAURENS) TO
BENJAMIN LINCOLN.¹

24th November [1778.]

Sir

I have already written to you by this conveyance under the 16th. since which I have had the honor of receiving and presenting to Congress your favors of the 7th and 9th which are committed to the Board of Treasury for consideration and Report.²

Captain Barry having made some extraordinary demands on Congress for allowance of a Table and a Secretary which the House have not determin'd upon, is detained here. I believe Captain Barry to be a brave and active Seaman, but I am told by Gentlemen of the Marine Committee that the intended service is not pleasing to him tis possible therefore he may wish to avoid it, and besides you will find old Commanders in the two Southern States who will be much mortified should he actually proceed and take the Command of them Consequences will arise which would be very disagreeable to you and which may prove detrimental to the service. I have suggested these sentiments to the Marine Committee, the determination of Congress will probably be known tomorrow.³

[636]¹ *Essex Inst. Hist. Colls.*, LV. 175.

[637]¹ Library of Congress, President's Letter-Book, II. 187. Addressed to Major-General Lincoln, Charlestown.

² See the *Journals*, Nov. 20.

³ See the *Journals*, Nov. 10 (p. 1119), Dec. 2. No further action on the matter is found recorded in the *Journals*. The marine committee's orders to Barry, dated Nov. 20, are in Paullin, *Out-Letters*, II. 31.

638. WILLIAM WHIPPLE TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

PHILADELPHIA 24th Nov 1778

Sir

I need not acquaint you that the State of New Hampshire has not been represented since the commencement of this month as Col: Bartlett will inform you he left Congress the day before I arrived, which was the 4th inst. since my arrival New Jersey has acceded to the confederacy.² its dayly expected Maryland and Delaware will follow the example. The Confederacy then being compleat, less their two delegates will not be a representation even 'tho one should be impowered by the State for that purpose.

The Spirit of Monopolizing under the name of Speculating rages with great violence through the United States the consequence of which must prove fatal unless the interposition of the Legislatures of the several States can check its fury. The plan of finance now under Consideration of Congress will have a good effect when compleated, but that as well as many other important matters are exceedingly retarded for want of a full representation. Only nine States have been represented since my arrival 'till within three days. there are now Eleven States barely represented. this tardiness in the States or their Delegates, besides retarding the most important Business makes it exceeding fatiguing to those that do attend.

I have the Honour to transmit you the Treaty of Alliance etc. between His most Christian Majesty and the United States of America.

No intelligence has been received since Col: Bartletts departure we are still in suspence about the Enemies intentions at New York 'tho it is most generally believed they will evacuate that place

I have The Honour to be with every Sentiment of Esteem and Respect Sir

Your Most Obt. Hum'le Sevt
WM. WHIPPLE.

639. ROGER SHERMAN TO THE GOVERNOR OF CONNECTICUT
(JONATHAN TRUMBULL).¹

PHILADELPHIA, 24th Novr, 1778.

Sir,

Enclosed are the treaties between His Most Christian Majesty and the United States which Congress have ordered to be sent to the government of each State. It is not thought expedient to publish them at present in the newspapers. . . .

[638]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; now in N. H. Hist. Soc., Weare Papers, VI. 5.

² The act of accession was passed by the assembly and signed by the governor Nov. 20; it was laid before Congress Nov. 25, and the Articles of Confederation were signed by the New Jersey delegates Nov. 26. See nos. 403, 424, note 4, 456, 560, 567, 599, 628, *ante*. Concerning Delaware and Maryland, see nos. 599, 612, 628, 630, *ante*, 668, *post*.

[639]¹ Mass. Hist. Soc., *Collections*, seventh ser., II. 312.

Congress has for some days past attended to the affair of the currency every day, and have agreed to persevere untill some measures are concluded on. They have some votes on the subject, but no plan is completed. . . .

The committee on the late Commissary General's affair have not reported since the recommitment.²

The appointment of Jonth Trumbull, junr, Esqr, to the office of Comptroller of the Treasury was unanimous. . . .

I begin to be impatient for the arrival of some of the Delegates from Connecticut, as some of my affairs require my return home. . . .

640. THE RHODE ISLAND DELEGATES TO THE GOVERNOR
OF RHODE ISLAND (WILLIAM GREENE).¹

PHILADELPHIA, Nov. 24th, 1778.

Sir:

. . . . The important business of financing is on the carpet and We hope Congress will soon be able to take such measures for reducing the quantity of money in circulation, as will check the depreciation of it at least, if not appretiate it. Taxation and loaning are the only engines to effect this purpose. . . .

Your Excellency's most obedient, humble Servants,

WILLIAM ELLERY.

JOHN COLLINS.

641. JOHN WITHERSPOON, PART OF A SPEECH IN CONGRESS
UPON THE CONFEDERATION.¹

[November 25, 1778?]²

The absolute necessity of union to the vigour and success of those measures on which we are already entered, is felt and confessed by every one of us, without exception; so far, indeed, that those who have expressed their fears or suspicions of the existing confederacy proving abortive, have yet agreed in saying that there must and shall be a confederacy for the purposes of, and till the finishing of this war. So far it is well; and

² See nos. 567, 589, 601, 616, 617, *ante*.

[640]¹ R. I. Arch., Letters to the Governors, 1778-1779, p. 49; Staples, *R. I. in Cont. Cong.*, p. 206.

[641]¹ *Works of John Witherspoon* (Edinburgh, 1815), IX. 135.

² It is not known when this speech was made, and internal evidence gives only indefinite suggestions of the occasion. In general these remarks of Witherspoon might have been appropriate at almost any time when the Confederation was under discussion. Some passages suggest the autumn of 1777, when Congress was actively engaged in framing the articles; while other passages point to a period subsequent to the adoption of the Articles by Congress, when there was danger that the Confederation would be allowed to lapse. Such an occasion, for instance, presented itself May 20 and 21, 1779, when Virginia and Connecticut, on the one hand, urged the ratification of the Articles without the accession of Maryland, and Maryland, on the other, presented her strong dissent. It seems somewhat improbable that, during the period of discussion just prior to the signing of the Articles, July 9, 1778, a delegate from New Jersey would have made such a speech at a time when his state was as yet among the dissenters. In view of these uncertainties it has seemed appropriate enough to place the speech alongside of the New Jersey authorization, which Witherspoon presented in Congress Nov. 25.

so far it is pleasing to hear them express their sentiments. But I intreat gentlemen calmly to consider how far the giving up all hopes of a lasting confederacy among these states, for their future security and improvement, will have an effect upon the stability and efficacy of even the temporary confederacy, which all acknowledge to be necessary? I am fully persuaded, that when it ceases [comes ?] to be generally known, that the delegates of the provinces consider a lasting union as impracticable, it will greatly derange the minds of the people, and weaken their hands in defence of their country, which they have now undertaken with so much alacrity and spirit. I confess it would to me greatly diminish the glory and importance of the struggle, whether considered as for the rights of mankind in general, or for the prosperity and happiness of this continent in future times.

It would quite depreciate the object of hope, as well as place it at a greater distance. For what would it signify to risk our possessions and shed our blood to set ourselves free from the encroachments and oppression of Great Britain—with a certainty, as soon as peace was settled with them of a more lasting war, a more unnatural, more bloody, and much more hopeless war, among the colonies themselves?—Some of us consider ourselves as acting for posterity at present, having little expectation of living to see all things fully settled, and the good consequences of liberty taking effect. But how much more uncertain the hope of seeing the internal contests of the colonies settled upon a lasting and equitable footing?

One of the greatest dangers I have always considered the colonies as exposed to at present, is treachery among themselves, augmented by bribery and corruption from our enemies. But what force would be added to the arguments of seducers, if they could say with truth, that it was of no consequence whether we succeeded against Great Britain or not; for we must, in the end, be subjected, the greatest part of us, to the power of one or more of the strongest or largest of the American states? And here I would apply the argument which we have so often used against Great Britain—that in all history we see that the slaves of freemen, and the subject states of republics, have been of all others the most grievously oppressed. I do not think the records of time can produce an instance of slaves treated with so much barbarity as the Helotes by the Lacedemonians, who were the most illustrious champions for liberty in all Greece; or of provinces more plundered and spoiled than the states conquered by the Romans, for one hundred years before Caesar's dictatorship. The reason is plain; there are many great men in free states. There were many consular gentlemen in that great republic, who all considered themselves as greater than kings, and must have kingly fortunes, which they had no other way of acquiring but by governments of provinces, which lasted generally but one year, and seldom more than two.

In what I have already said, or may say, or any cases I may state, I hope every gentleman will do me the justice to believe, that I have not the most distant view to particular persons or societies, and mean only to reason from the usual course of things, and the prejudices inseparable from men as such. And can we help saying, that there will be a much greater degree, not only of the corruption of particular persons, but the defection of par-

ticular provinces from the present confederacy, if they consider our success itself as only a prelude to a contest of a more dreadful nature, and indeed much more properly a civil war than that which now often obtains the name? Must not small colonies in particular be in danger of saying, we must secure ourselves? If the colonies are independent states, separate and disunited, after this war, we may be sure of coming off by the worse. We are in no condition to contend with several of them. Our trade in general, and our trade with them, must be upon such terms as they shall be pleased to prescribe.—What will be the consequence of this? Will they not be ready to prefer putting themselves under the protection of Great Britain, France or Holland, rather than submit to the tyranny of their neighbours, who were lately their equals? Nor would it be at all impossible, that they should enter into such rash engagements as would prove their own destruction, from a mixture of apprehended necessity and real resentment.

Perhaps it may be thought that breaking off this confederacy, and leaving it unfinished after we have entered upon it, will be only postponing the duty to some future period? Alas, nothing can exceed the absurdity of that supposition. Does not all history cry out, that a common danger is the great and only effectual means of settling difficulties, and composing differences. Have we not experienced its efficacy in producing such a degree of union through these colonies, as nobody would have prophesied, and hardly any would have expected?

If therefore, at present, when the danger is yet imminent, when it is so far from being over, that it is but coming to its height, we shall find it impossible to agree upon the terms of this confederacy, what madness is it to suppose that there ever will be a time, or that circumstances will so change, as to make it even probable, that it will be done at an after season? Will not the very same difficulties that are in our way, be in the way of those who shall come after us? Is it possible that they should be ignorant of them, or inattentive to them? Will they not have the same jealousies of each other, the same attachment to local prejudices, and particular interest? So certain is this, that I look upon it as on the repentance of a sinner—Every day's delay, though it adds to the necessity, yet augments the difficulty, and takes from the inclination.

There is one thing that has been thrown out, by which some seem to persuade themselves of, and others to be more indifferent about the success of a confederacy—that from the nature of men, it is to be expected, that a time must come when it will be dissolved and broken in pieces. I am none of those who either deny or conceal the depravity of human nature, till it is purified by the light of truth, and renewed by the Spirit of the living God. Yet I apprehend there is no force in that reasoning at all. Shall we establish nothing good, because we know it cannot be eternal? Shall we live without government, because every constitution has its old age, and its period? Because we know that we shall die, shall we take no pains to preserve or lengthen out life? Far from it, Sir: it only requires the more watchful attention, to settle government upon the best principles,

and in the wisest manner, that it may last as long as the nature of things will admit.

But I beg leave to say something more, though with some risk that it will be thought visionary and romantic. I do expect, Mr. President, a progress, as in every other human art, so in the order and perfection of human society, greater than we have yet seen; and why should we be wanting to ourselves in urging it forward? It is certain, I think, that human science and religion have kept company together, and greatly assisted each other's progress in the world. I do not say that intellectual and moral qualities are in the same proportion in particular persons; but they have a great and friendly influence upon one another, in societies and larger bodies.

There have been great improvements, not only in human knowledge, but in human nature; the progress of which can be easily traced in history. Every body is able to look back to the time in Europe, when the liberal sentiments that now prevail upon the rights of conscience, would have been looked upon as absurd. It is but little above two hundred years since that enlarged system called the balance of power, took place; and I maintain, that it is a greater step from the former disunited and hostile situation of kingdoms and states, to their present condition, than it would be from their present condition to a state of more perfect and lasting union. It is not impossible, that in future times all the states on one quarter of the globe, may see it proper by some plan of union, to perpetuate security and peace; and sure I am, a well planned confederacy among the states of America, may hand down the blessings of peace and public order to many generations. The union of the seven provinces of the Low Countries, has never yet been broken; and they are of very different degrees of strength and wealth. Neither have the Cantons of Switzerland ever broken among themselves, though there are some of them protestants, and some of them papists, by public establishment. Not only so, but these confederacies are seldom engaged in a war with other nations. Wars are generally between monarchs, or single states that are large. A confederation of itself keeps war at a distance from the bodies of which it is composed.

For all these reasons, Sir, I humbly apprehend, that every argument from honour, interest, safety and necessity, conspire in pressing us to a confederacy; and if it be seriously attempted, I hope, by the blessing of God upon our endeavours, it will be happily accomplished.

642. CORNELIUS HARNETT TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA Nov. 28th 1778.

Dear Sir:

The President before any of the members could be supplied with the printed Treaties with France sent them to all the Governors of the several States; I take the liberty (fearing some accident may have prevented your receiving one) to enclose one to your Excellency. These Treaties

[642]¹ *N. C. State Recs.*, XIII. 304.

ought to have been thrown out to the public immediately, but Congress out of their great wisdom thought otherwise.² This business was done after the return of the North Carolina Delegates. Mr. Burke and myself stayed and sat in Congress as long as we were authorized by the State to give a vote. Your Excellency must also have been informed by Mr. Blount, when the requisition was made for 500,000 Dollars, no Delegate of North Carolina was or could be present with propriety.

We have however patched up this business; 400,000 dols. have been sent on to accomplish the first business, and 150,000 to Mr. Blount exclusive of the other sum towards forwarding the Southern expedition.³ The President has no doubt informed you of the views of Congress, should the enemy not think proper to make an attack on Charles Town. I am not at Liberty at present to communicate it, as the injunction of secrecy is not yet taken off.⁴

Genl. Howe is ordered to Head Quarters. The little ridiculous matter he has been concerned in in South Carolina, with regard to a female, has induced the Delegates of Georgia and South Carolina to desire his recall. Congress complied with their request, but do not intend to enter into the private amours of their Generals.⁵ I hope our friend (should the War continue) will have an opportunity of displaying his abilities (which Congress acknowledge) in the field of Mars; as well as of Venus.

643. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO LORD STIRLING.¹

29th November [1778.]

My Lord

Inclosed with this Your Lordship will find a Letter which I have written by Order of Congress to Rear Admiral Gambier, and which I request you to send in to New York by a Flag without delay, it may be necessary to intimate that this is in Answer to the Letter from the Admiral which Your Lordship transmitted to me a few days since, and in which there is

² See no. 608, *ante*, no. 657, *post*. The French minister brought to the attention of Congress Nov. 20 the irregularity of publishing the treaties prior to the exchange of ratifications (see the *Journals*, Nov. 20, and Wharton, *Rev. Dipl. Corr.*, II. 843); and in the conference July 12, 1779, he reported the surprise of the French court that this had been done without the previous knowledge and consent of that court. See *ibid.*, III. 244-248, and the *Journals*, July 14, 1779; also James Lovell to Samuel Adams July 13, 1779, in the next volume of these *Letters*.

³ See the *Journals*, Oct. 20, and nos. 480, 505, 523, 542, 546, 552, *ante*.

⁴ The proposed expedition against East Florida. See no. 627, note 2, *ante*.

⁵ Cf. no. 542, *ante*. See also Howe to the President of Congress Nov. 24, in *N. C. State Recs.*, XIII. 498. In the passages that follow Harnett discourses upon the evils of frequent changes in the delegation. "By changing your members often", he remarks, "you must of course know, as I am convinced every man of sense must, that it will take a *young man* of Genius, ability and *application*, three months at least to make himself well acquainted with the business of Congress and after he has accomplished it, in a few months, another is appointed, who has the same process to go through before he can be made useful to his State, let his abilities be ever so great and uncommon." At the same time he declares his intention "never more to return in the Character my Country has been pleased to honor me with, unless I am forced into it". Cf. nos. 523, 531, 606, *ante*. See also vol. II., no. 747.

[643]¹ Library of Congress, President's Letter-Book, II. 192.

an implied menace of retaliation for the confinement of Lieut. Hele and others who with a Cargo of Manifestos under sanction of a Flag of truce very lately shipwreck'd on the Coast of New Jersey. The subject in dispute will not warrant the Act and the means we are possessed of for retorting tenfold will probably shew the Admiral that his threats are altogether futile and therefore I am under no great apprehension of a seizure on your Lordship's Messengers, at the same time the hint is not useless ²

644. WILLIAM WHIPPLE TO JOSIAH BARTLETT.¹

PHILADELPHIA 30th Nov. 1778

Dear Sir

I have not received a line from New Hampshire since my arrival here. Mr. Frost who arrived the 25th inst Bro't with him an act empowering one Delegate to represent the State had it been sent some time before the State would not have been so long unrepresented and his coming rendered the Act less necessary. . . .

The Treaties of Alliance etc with France are printed I sent one Book to the President last week, and shall send one to you by the first convenient opportunity.²

Nothing material has happened since your departure. the business of finance goes on very slowly however some of the principal Questions have passed the Committee of the whole which leads me to hope we shall make a considerable progress in this important business in a few days. . . .

Col Allen ³ is here he tells me the Green Mountain Assembly have renounced the 16 towns and wrote to New Hampshire on the subject Young Wheelock ⁴ is also here but I have not seen him—he seems to avoid me. I shall write fully on this subject shortly. . . .

² See the *Journals*, Nov. 9, 25, 28, Dec. 3. The letter to Admiral Gambier, embodied in the *Journals* Nov. 28, was printed in the *Pennsylvania Packet* Dec. 5, and in the *Royal Gazette* Dec. 16. A draft is in the Library of Congress, U. S. Revolution, and a copy is in the President's Letter-Book, II. 191. Gambier's letter of Nov. 15 is in Almon's *Remembrancer*, 1778-1779, p. 203; the reply, Nov. 28, is *ibid.*, p. 303. For the case of Lieut. Christopher Hele, whom the correspondence chiefly concerned, see the note under Fell's Diary, Jan. 12, 1779, in vol. IV. With regard to the manifestos, see no. 568, note 2, *ante*. Stirling's reply to Laurens, Dec. 1, read in Congress Dec. 5, is found in *Hist. Magazine*, II. 323.

[644]¹ Library of Congress, Stauffer-Morgan Collection of Signers of the Declaration of Independence; *Hist. Magazine*, VI. 76.

² See no. 630, *ante*.

³ Ethan Allen. Samuel Holten records in his Diary under Nov. 26: "Mr. President and his son, the vice Prest. of this State, Baron Steuben, Genl. Reed, Colo. Frost, Colo. Lee, Dr. Scuder, Mr. Hudson and Colo. Allen dined with us." The Colonel Lee of the party was doubtless Francis Lightfoot Lee. "Mr. Hudson" may have been Richard Hutson, delegate from South Carolina.

⁴ This was Lieut.-Col. John Wheelock. See the *Journals*, Nov. 28 (p. 1174 n.), and nos. 646, 660, 672, 673, *post*.

645. SAMUEL ADAMS TO THE PRESIDENT OF THE MASSACHUSETTS
COUNCIL (JEREMIAH POWELL).¹

PHILADELPHIA Decr 1, 1778

Sir,

. . . . Since my Arrival here in July, I have availed my self of the Practice of the Delegates of every State, by applying to Congress for a Warrant on their Treasury for a Sum of Money to pay the extravagant, though necessary Expence of living. I purpose to repeat this Application, as there may be occasion for it, until I shall be directed differently or to the Contrary; and shall credit the Sums so receivd in my next Account.

646. THE NEW YORK DELEGATES TO THE GOVERNOR OF
NEW YORK (GEORGE CLINTON).¹

PHILADELPHIA, 1st Decembr. 1778.

Sir,

. . . .² It gives us particular Pleasure that we are at Liberty to transmit to your Excellency several Copies of the Treaties of Amity and Commerce between his most Christian Majesty and the United States. Your Excellency will see how totally groundless have been the suspicions propagated by our Enemies respecting these Treaties. They will appear to be founded on perfect Equality, and in every Respect liberal and reciprocally beneficial. It is the Direction of Congress that no Impression of them be made untill their further order.

We have not yet the Pleasure of Mr. Jay's Company. Mr. Ethan Allen has lately presented a Paper to Congress, as an act of what they call the Assembly of the State of Vermont. It is calculated to shew that the New Hampshire Towns on the East side of Connecticut River which Joind in the Revolt had retracted and seperated from the Towns on the west side. The Design of this flimsy artifice is obvious: but it was a little unreasonable for the Projectors that only two days after the Production of this Paper, Lieut. Col. Wheelock presented a Remonstrance from the Revolted Towns on the East side of the River, complaining that Allen had no authority to make the before mentioned Declaration; that they utterly renounced it and adherd to their Revolt from New Hampshire.³ This Incident renders ridiculous the Plan which Allen and his adherents boasted of as decisive. When Mr. Jay arrives we hope this important Subject

[645]¹ *Writings* (ed. Cushing), IV. 93; N. Y. Pub. Lib., Samuel Adams Papers.

[646]¹ *Clinton Papers*, IV. 321.

² A part of this letter here omitted relates to the transmission by Abraham B. Bancker (*cf.* no. 648, *post*) of 100,000 dollars granted by Congress. See *Clinton Papers*, IV. 294, 356, 393.

³ See no. 644, *ante*, and nos. 660, 668, 673, *post*. Clinton's reply to this letter, Dec. 17, is in *Clinton Papers*, IV. 393. A later letter of the same day from Clinton transmitted the address of Ira Allen to the inhabitants of Vermont, dated at Dresden, Nov. 27 (*ibid.*, pp. 396-398).

will be taken up, notwithstanding Congress is pressed by a variety of Objects which call for attention and Dispatch. . . .

We have the Honour to be, with the utmost respect, Sir, Your Excellency's most Obedient humble Servants

JAS. DUANE,
FRA' LEWIS,
GOUV'R MORRIS.

647. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO PHILIP SCHUYLER.¹

2nd December [1778.]

Sir

. . . . Divers considerations have prevented hitherto Congress from entering upon that of the proceedings of the General Court Martial in your case, but it is to be taken up tonight, and I am going immediately after this Letter is finished to attend the House for that purpose.²

648. JAMES DUANE TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

PHILAD. 2d Decem'r 1778.

Sir,

I deliver'd Congress the Depositions your Excellency charged me with, respecting the Breach of the Convention of Saraghtoga by that part of Genl Burgoine's army which was permitted to return into Canada. It is the desire of Congress that this perfidious procedure may be exposed in the fullest Light, and they therefore request that your Excellency will endeavour to procure further Evidence, and, if possible one of General Carlton's proclamations or orders requiring those Troops to join their respective Corpses.

One thousand Dollars in Specie are now delivered to Mr. Banker for the purpose of making the necessary discoveries, to be employed in such manner as your Excellency shall be pleased to direct; when it is expended you will be pleased to remit the account to the Treasury board that you may be properly discharged. I did not think it necessary to send the Cont. money directed to be paid into your Hands, for the above purpose. It therefore waits your disposal in the Treasury.³

[647]¹ Library of Congress, President's Letter-Book, II. 195. Addressed, "Major General Schuyler for the Commissioners of Ind'n Affairs Albany by Patrick Maher".

² See no. 652, *post*.

[648]¹ *Clinton Papers*, IV. 391.

² See the *Journals*, Nov. 30. Clinton's reply, Dec. 17, is in *Clinton Papers*, IV. 392. See also his letter to John Tayler, Dec. 14, *ibid.*, p. 365.

649. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO SILAS DEANE.¹

3d December 10 o'Clock [1778.]

Sir

On Tuesday I presented your Letter of the 30th Ultimo to Congress and received direction to intimate to you that the House having resolved to take into consideration as on this evening the state of their foreign Affairs such branches as you have been particularly concerned in, would in due course become subjects of deliberation without any, avoidable or unnecessary, delay.

I should have given you this information Yesterday had not the very long Sessions of Congress morning and evening together with very full employment in public business in the interval rendered it impracticable.²

650. FRANCIS LEWIS TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

Dear Sir

I had the honor of writing to you yesterday in conjunction with my Collegues; Congress has since received from Lord Sterling, Commanding at Eliza. Town, a State of the British Army, together with their late embarkations of which the inclosed is a Copy; should any part of that Army be destined against Charles Town So. Carolina, Congress hath a month past, ordered 1000 Militia from Virginia 3000 from North Carolina, together with the Continental Troops in that Quarter to rendezvous at Charles Town, and in case the Enemy do not attempt that place, our Troops are to proceed against St. Augustine under the Command of General Lincoln.

I cannot help thinking that Lord Sterlings Return relative to the Enemies force in the vicinity of N^w York somewhat exaggerated, as I have been lately informed by a person from Staten Island, that there is very few troops at present on that Island, and that the Enemy do not intend to leave N^w York this Winter.

Mr. Jay is not yet arrived; and this morning the proceedings of the Court Marshall upon Genl. Schuyler is to be reviewed by Congress.² . . .

PHILA. 3d Decemr. 1778

651. SAMUEL HOLTEN, DIARY.¹

[December 1-4, 1778.]

Dec. 1 . . . John Temple, Esq., arrived here from Boston.²

2. Congress sit in the evening. Mr. Temple from Boston dined with us.

[649]¹ Library of Congress, President's Letter-Book, II. 204. Addressed, "The Honble Silas Deane Esqr. Philada. by M. Young".

² See the *Journals*, Dec. 1, 7, and no. 658, *post*.

[650]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia.

² See the *Journals*, Dec. 3, and no. 652, *post*.

[651]¹ *Essex Inst. Hist. Colls.*, LV. 175.

² Concerning John Temple, see nos. 671, 672, 678, 685, 689, 698, 699, *post*.

3. Congress sit in the evening and confirmed the sentence of the Court Martial upon Genl. Schuyler and acquitted him of the charges brought against him.

4. Congress sit in the evening and took into consideration G. Lee's affair.³

652. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO PHILIP SCHUYLER.¹

4th December [1778.]

Sir

I had the honor of writing to you the evening of the 2nd Instant, to which I beg leave to refer.

The business before Congress at the meeting which I had intimated totally obstructed the passage of that in which you had been from various untoward and unavoidable circumstances too long unhappily detained: at length on the following Evening Congress took under consideration the proceedings of the General Court Martial on the tryal of Major General Schuyler, and resolved that the sentence of acquittal with the highest honor be confirmed, ordered the Publication of the proceedings of the Court and that the Resolution be transmitted to the Commander in Chief.²

653. HENRY LAURENS, MEMORANDUM.¹

[*Note of Gérard:*]

Leave is begged from the hon Presidt. of Congress to submit him some reflections upon a late conversation. The insinuation made was founded upon the consideration that the method proposed would be more simple, more easy and more convenient than any other, and that besides the troubles, the expences, the dangers of the sea and of the enemy, the spoiling of the cargoes etc. would be avoided.

³ One of the subjects under consideration in the morning of Dec. 4 was that of finance, debated in committee of the whole. Following this discussion James Lovell wrote to Col. Henry Bromfield:

"Decr. 4th 1778.

"Dear Sir

". . . And now, Sir, finding my Brain relieved, by this little Exertion of Fancy, from the State into which it had been beaten by the Pros and Cons in a Discussion upon Finance, I think I can venture again upon the disagreeable Subject for a moment or two. While we are plodding here to reduce the Quantity of circulating Medium, cannot Associations be formed to discountenance one great Source of Depreciation which operates more strongly than even Quantity. I mean the speculating Spirit which is devouring us in geometrical Proportions. Taxation is doubtless our first object here and will most readily be received by all the People. Loan is another, if not the second to be pursued; but then, Quere, foreign or domestic? How shall Monies now received in Loan be paid? As those received in 1776? Every Genius on the Continent with a Turn for Finance should throw his mite in to the Delegates of his particular State while that important Matter is in agitation. . . ." (Colonial Society of Massachusetts, *Publications*, VI. 77.)

[652]¹ Library of Congress, President's Letter-Book, II. 204.

² See no. 647, *ante*, and the *Journals*, Dec. 3.

[653]¹ S. C. Hist. Soc., Laurens Papers, vol. XXVI.

The manner of executing this plan if adopted, would be very simple and attended with no inconveniency. The Court shall take upon herself to satisfy the furnisher of the articles in question and Congress shall receive his discharge for ready money in his accounts with the Court.

December 4th 1778.²

about the 2d or 3d of Decem. M. Girard had desired me to inform Congress, that as the Court of France were indebted to these States for the supplies of provision to Count D'Estaing'[s] fleet at Boston, he recommended to Congress to draw a line in M. Beaumarchais' account which should separate the articles of Cannon and Military Stores from other articles in that account. that the amount of such Cannon and Stores might be set against the amount of supplies to Count d'Estaing, and a Balance struck as the case might be. This M. Girard said would be an easier and safer means of paying for such Cannon and Stores than by remittances exposed to the danger of the Sea. I asked M. Girard if this would not be acknowledging that the Court of France had furnished those Stores, which as I understood, the Court wished to conceal. this question a little alarmed M. Girard, who said Ah! we are now in War.

I reported the desire of M. Girard to Congress and intimated my own wish that M. Girard should signify what he had said to me in writing in order to avoid mistakes. Congress directed me to apply to M. Girard for that purpose.³ I applied immediately in consequence of which M. Girard sent me a Note of which the preceding is a Copy, and although it is not *quite* a Copy of our conversation, 'tis plain enough to shew that the court had something to do with the furnishing Cannon and Stores—otherwise a Minister plenepotentiary I should presume would not have interfered in this manner.

but who is the furnisher—M. Beaumarchais says he is Mr Deane in one place, says the Cannon and warlike Stores were granted to his request. in another place, he says ["']finding there was a surplus of Cannon in the arsenals to be *disposed of* I waited on the Minister and solicited the liberty of purchasing them but *was refused*, then proposed to procure a Man to purchase them on condition he should not be called on for payment until he sent his Remittances from America. I could not obtain this. this application I made previous to my Contracts with Monsr. Beaumarchais[""].

in another place Mr. Deane says "after which I mentioned to His Excy (Count Vergennes) the situation in which the Cannon and Stores I had purchased actually were and prayed his advice. He asked me of whom I had purchased. I told him, he said there had been some very imprudent conduct and seemed to blame M. Beaumarchais [""]."⁴

² The text of this note of Gérard is printed from the original (which is in English) in Papers Cont. Cong., no. 94, f. 50. The note is endorsed by Laurens, "M. Gérard on Payment to Monsr. Beaumarchais". A copy is in the Laurens Papers in the South Carolina Historical Society, and it is to this that Laurens's memorandum is attached. These remarks of Laurens, at least the last two paragraphs, were probably penned the latter part of December, possibly even later. See note 3, below.

³ The *Journals* contain no record of this matter.

⁴ The two quotations from Deane are found (substantially) in his "Narrative", read in Congress Dec. 22 and 23. See N. Y. Hist. Soc., *Collections: Deane Papers*, III. 157, 160.

654. JOHN FELL, DIARY.¹[December 5-8, 1778.]²5th. *Saturday* was Introduced to Congress.6th. *Sunday* Dined with Mr. Isaac Moses.7th. Hon'ble John Jay Esqr. took his seat in Congress³8th. John Temple Esqr.⁴ Dined at Mr. Whiteheads655. HENRY LAURENS TO LORD STIRLING.¹

PHILADELPHIA 5th December 1778.

My Lord,

I am particularly indebted for Your Lordships obliging favor of the 1st December. those of public concerns under the 29th November and of the date first mentioned remain yet a secret to Congress, I mean the Contents; for I have day by day for some days past announced these and many other public Letters to the House.²

Your Lordship will justly conclude that the business which has obstructed the bare hearing the import of dispatches which for aught we know may be nothing less than the evacuation of New York Garrison or the reinforcement of that place by Ten thousand new troops, must be exceedingly momentous. I speak to you Sir as a Gentleman and fellow Citizen.

My last date to Your Lordship is the 1st Inst. I owe you News Papers of Thursday and this Morning two of each, together with two Copies of Gen. Lee's and one of Gen Sinclair's trials will be found in the Packet which will contain this.

Congress have not yet decided on these Cases; this Morning's Paper shews the determination on Major Gen. Schuyler's. Your Lordship will observe the coverings of Gen. Lee's trial are of different colours, the Marble was published by order of Congress, the blue I apprehend by Gen. Lee's order. I bought this of the Printer and have not had time to examine it. I am not conscious of any impropriety in requesting Your

[654]¹ Library of Congress, Journals and Diaries. The following title is inscribed upon the volume, though not in the writing of John Fell, "Journal, Kept by Judge John Fell, while Member of Congress for the State of New Jersey 1778".

² The diary for the preceding six days is as follows:

29th. *Sunday*. Left Petersfield. Dined at Aquackina. Lay at Newark.

30th. *Monday*. Dined 5 Mile from Elizabethtown. Lay at Mr. Marrinors at Brunswick. (Coll. Nelson told me, he declined going to Congress.)

Decem'r 1st. *Tuesday*. Dined at Princeton. Spent the Evening with Governor Livingston at Trenton.

2d. *Wednesday*. Dined at Trenton. Received from the Secretary of New Jersey my Credentials to Congress. Lay at Bristol.

3d. *Thursday*. Dined at Frankford. Lay at Philadelphia. (At Mr. Whiteheads.)

4th. *Fryday*. at Do. Peter R Fell Returned home.

³ Samuel Holten records in his Diary under this date: "Congress sat till 10 in the evening."

⁴ See nos. 651, *ante*, 671, *post*.

[655]¹ N. Y. Pub. Lib., Misc. MSS., Laurens.

² The letter of Dec. 1 was read in Congress Dec. 5; the letter of Nov. 29 is not mentioned. Stirling's reply to this letter, Dec. 18, as also to letters of Dec. 5, 6, and 7 (see no. 657, *post*), is in Moore, *Materials for History*, first ser. (*Correspondence of Henry Laurens*), p. 128.

Lordship to recur to the Verdict of the Court on the second Charge which is founded on the 13th Article of the 13th Section of the Articles of War, and then to the 12th Article of the same Section. had I the Articles before me I should score under the words *and runaway* and be strongly of opinion that the Copyist had, which is easy to imagine, inserted 13th when 12th had been the fact, but if this be arcanum and not a plain error, it would be highly impertinent to attempt to develop a single jot, which is not my meaning.

656. JOHN PENN TO WILLIAM WOODFORD.¹

PHILADA. Dec 6th. 1778.

Dear Sir,

Yesterday the Sentence against General Lee was confirmed, by a great Majority, only two votes against approving: he has been Complaining of every body. I suppose this will make him outrageous.²

I expect Congress will, in a few days agree on some plan for appreciating the Currency.

657. HENRY LAURENS TO LORD STIRLING.¹

PHILADELPHIA 7th December 1778.

My Lord

Yesterday I had the honor of transmitting to Your Lordship two Copies of the Treaties between France and these States.² presently after they were gone I discovered something very like an error in the press, which I shall not have opportunity to investigate immediately, mean time I request you will not suffer any of the Copies to go abroad nor from your own custody until you hear again from

Your Lordship's Obliged and obedt. Servant

HENRY LAURENS.

The Right Honorable

The Earl of Stirling

Elizabeth Town.

658. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

7th December [1778.]

Dear Sir

By this Sea Conveyance I shall not say much, because I think the chance of miscarriage is great, and because I mean to write again in a

[656]¹ *N. E. Hist. and Geneal. Register*, XXX. 320. Addressed, "To General Woodford Fredericksburg Virginia Favrd. by Mr. Shannon".

² *Cf.* nos. 574, 586, note 4, *ante*.

[657]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia.

² See no. 642, *ante*.

[658]¹ *S. C. Hist. Soc., Laurens Letter-Book, 1777-1782*, p. 237.

day or two by a safe hand out of the reach of Bachop.² if my Packet escapes the Enemy Your Excellency will receive four or five of the latest Newspapers. the most striking Articles in these are General Lee's and Mr Deane's Letters.³

The former has neither Proselytes nor Advocates. the people in Carolina will see at the first glance how open he has laid himself and I am told he will be attacked in every vulnerable part by a Pen which possibly may not hurt his feelings while it displays truth to the World.⁴ Congress on Saturday last Resolved that the Sentence of the Court Martial against him be carried into execution, eleven States present, 6 Ayes 2 Nays, 2 divided, and 1 unrepresented—Numbers 16 Aye 7 No—I excused not having read the Tryal nor heard the Debates, which deprived New Jersey of a representation. I shall send particulars by Land.⁵

Your Excellency will be so good as to recur to my Letter of 11th August.⁶ What might then have appeared trifling to many People will now be regarded as a well founded and well intended alarm. this Appeal to the People, this rash unnecessary appeal I trust will this day be attended to in Congress, but as I am concerned in no intrigue nor Cabal, I am consequently ignorant of the designs of my fellow labourers. the honor and interests of these United States call upon every Delegate in Congress for support. if therefore other Men shall be silent, I will deliver my sentiments on this very extraordinary circumstance and I have in prospect the production of much good out of this evil.⁷ . . .

659. THE PRESIDENT OF CONGRESS (HENRY LAURENS)
TO GEORGE WASHINGTON.¹

8th December [1778.]

Sir

. . . . You will be pleased Sir to direct your next Dispatches to the President of Congress, who will not be the subscriber; but in my private Character I shall ever retain that true respect and esteem under which I have so often had the honor of acknowledging myself, Sir

Your Excellency's Most Obedient and Most Humble Servant

(Then determined to resign)²

² Presumably Capt. Peter Bachop. Cf. *S. C. Hist. and Geneal. Reg.*, IX. 193, XII. 134, XIX. 170; Wallace, *Life of Laurens*, pp. 378, 380.

³ Deane's address "to the Free and Virtuous Citizens of America" appeared in the *Pennsylvania Packet* Dec. 5. It is found in N. Y. Hist. Soc., *Collections: Deane Papers*, III. 66. Gen. Charles Lee's letter appeared in the *Pennsylvania Packet* of Dec. 3 and may be found in N. Y. Hist. Soc., *Collections: Lee Papers*, III. 255.

⁴ John Laurens, not so chary of Lee's feelings, challenged him to a duel. See *ibid.*, pp. 273, 283.

⁵ The member excused was John Fell. See the incomplete entry against his name in the yeas and nays (*Journals*, Dec. 5).

⁶ No. 462, *ante*.

⁷ See Laurens's resignation in the *Journals*, Dec. 9, and his notes thereon, no. 663, *post*. Cf. no. 680, *post*.

[659]¹ Library of Congress, President's Letter-Book, II. 210.

² The body of the letter as recorded in the Letter-Book is in the writing of Laurens's secretary, Moses Young, but this remark, which was probably added to the letter-book copy after the resignation, is in Laurens's own hand. See nos. 662-668, 671, 672, 676, 677, 680, 683, 687, *post*. Washington's reply, Dec. 18, is in *Writings* (ed. Sparks), VI. 140.

660. WILLIAM WHIPPLE TO THE PRESIDENT OF NEW
HAMPSHIRE (MESHECH WEARE).¹

PHILADELPHIA 8th Decr. 1778

Sir

I had the Honour of receiving your favor of the 6th Ulto with its inclosures, 'tho it did not come to hand till the 1st of this month.

Your Letter to the President has been laid before Congress and is refered, with the depositions to the Treasury Board. my best endeavors shall be used for the accomplishment of Your wish in that Business.²

I was informed by Col. Ethan Allen (who left the City a few days ago) of the proceedings of the Green Mountain People. that Gentleman promises to use his influence to prevent any further trouble to New Hampshire from that Quarter. whether his influence is sufficient to effect the purpose is a matter I cannot undertake to decide upon, but by the appearance of so small a Majority in favor of his proposition, I should suppose it at least doubtful. I am rather inclined to think that nothing will effectually settle the dispute but New Hampshire's opposing her claim to that of New York even if she should afterwards (supposing the decision to be in favor of New Hampshire) agree that the grant on the west side of the River should be a separate State, because in that case New Hampshire would have it in her power to settle the line to her satisfaction, and perhaps avoid some disagreeable disputes that may otherwise arise.³

Mr. Wheelock has been here with a memorial to Congress from those people who withdrew themselves from the Windsor Assembly. after giving it to the President, he met with some discouragements and made application to withdraw it but I understand was refused by the President. this Memorial has been read in Congress and filed. I shall endeavour to transmit a copy of it by next post. I dont know but Mr. Wheelock is still in this City. I have not had the Pleasure of seeing him. from some particular circumstances I am led to suppose he avoided me, his reasons for so doing I am unacquainted with.⁴

A Packet is lately arrived from France but has Brot nothing new having had a long passage. the latest dates by her is 31st Augt. . . .

661. THE COMMITTEE OF FOREIGN AFFAIRS TO BENJAMIN FRANKLIN.¹

PHILADELPHIA, Decr. 8th, 1778.

Sir

By Mr. Cummins, on the 29th of last month, I forwarded several papers of Importance, Triplicates of which Mr. Bromfield, the Bearer of this, will deliver.² But an accident then took place, obliging me to hold

[660]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; now in N. H. Hist. Soc., Weare Papers, VI. 11; Harvard Univ. Lib., Sparks MSS., XXXV. 57.

² Weare's letter, presenting certain claims for losses, was read in Congress Dec. 2. The board of treasury made a report upon these and similar claims Mar. 9, 1779.

³ See nos. 507, 543, 597, 644, *ante*, 668, 673, *post*.

⁴ See nos. 644, 646, *ante*, and no. 673, *post*.

[661]¹ Am. Phil. Soc., Franklin Papers, XII. 181 ("Triplicate"); Wharton, *Rev. Dipl. Corr.*, II. 856.

² Probably James Cuming, merchant at L'Orient, and Henry Bromfield (1751-1837), son of Col. Henry Bromfield (1727-1820).

back a Letter which I had written to you. Time was wanting in which to write another, the Vessel having fallen down to Reedy Island and the Express being mounted.

My Letter was chiefly on the circumstances of an intended plan of Operations which was inclosed, but detained for alterations to be made in Congress.³

Our only important Struggle is with our Currency. We shall be able, at least, to keep it from growing worse; but we want the Aid of skilfull Financiers and of monied men to bring about any considerable appreciation, as you will more clearly perceive by one of the papers herewith to be delivered.

I am, Sir,

Your most obedt. Friend and Servant

JAMES LOVELL,

For the Committee of Foreign Affairs.

Honble. Doctr. Franklin

662. NATHANIEL SCUDDER TO RICHARD HENRY LEE.¹

PHILADELPHIA, Decr. 9th, 1778.

Dear Sir,

I have not written to you sooner, because in reality I had little of Importance to write. The ancient Motto of "festina lente" or that of "Nil operosè agendo" will yet apply to us with too great Propriety.

The Decision of General Lee's affair was never obtained untill Saturday last, when the Sentence of the Court martial was confirmed by a great Majority. The Sentence respecting General Schuyler is also confirmed, but General St Clair's yet remains undetermined.²

We have unfortunately consumed much Time for some Days past on a Matter of Privilege consequent upon a Charge exhibited against General Thompson for great Abuse given to Congress in General, and personally to the Honble Mr. McKean on Account of the Preference shewn to Mr. McKinly in his Exchange for Governor Franklin; and after all it remains yet undecided.³

What shall I say as to the great Business of our Finances? I cannot yet determine that I have learned any Thing concerning them, much indeed I have unlearned; for although an amazing Deal of Time has been spent on this important Subject; tho one Hypothesis has been piled upon another like Pelion on Ossa; tho Scheme has been tacked to Scheme, and System succeeded System, while the speculative Genius and playfull Fancies of some of our Brethren have again and again in amendments

³ The allusion is to the plan for the invasion of Canada. See no. 632, note 2, *ante*, and the *Journals*, Dec. 5. Lovell wrote to Franklin Feb. 8, 1779: "The Marquis de la Fayette having sailed from Boston the day before the arrival there of letters sent from hence for you by the President of Congress, I now forward to you duplicates of those letters, with a course of newspapers, via St. Eustatia" (Wharton, *Rev. Dipl. Corr.*, III. 38).

[662]¹ Haverford College, Roberts Coll., 722.

² The decision on Schuyler's case was Dec. 3, on that of Lee Dec. 5, and on that of St. Clair Dec. 16. See nos. 652, 656, *ante*.

³ See the *Journals*, Nov. 19, 20, 23, 25, Dec. 7, 17, 22, 23, 24, and nos. 680, 695, *post*. Concerning the exchange of McKinly, see nos. 90, 180, 462, *ante*, 680, 695, *post*.

and a variety of Substitutes exhausted themselves, and finally, when all their pretty wiredrawn Plans were crumbled away in the handling, have often in common Consent assisted to sweep away the rubbish, and begin *de novo*; I say tho we have ranged in this Way the boundless Field of Finance and with great Labor and Diligence too, I have for my own Part obtained no more than to determine what will *not do* for the Support of our public Credit and the prevention of a general Depreciation. When I shall be happy enough to determine what *will do* Heaven only knows—my Enthusiasm only remains.

Our foreign affairs are in a most deplorable Situation; Mr. Carmichael having taken his Seat in Congress I suppose there is an End to Interrogation with him. Mr. Dean has never yet been heard in Congress since you left us, except an Evening or two ago, when he was before us only a few Minutes to receive Orders from the Chair to deliver in all he had to say in Writing as soon as he thought proper, and in the mean Time that, if he had any Thing very urgent to communicate, he might be heard the Evening following; which then he rather declined, and in fine has not asked.⁴ how soon we shall have his written Narration I know not; When it comes I expect it will be interwoven with all those envious Criminations, which, notwithstanding he never even hinted them to Congress either in his verbal Narration or in any of his subsequent Letters, he has within this few Days in a very extraordinary Manner thrown out to the World through the Channel of a News Paper, which I doubt not you have received.⁵

Thus far I had written in the Morning, I am this Moment come out of Congress, where an extraordinary Event has taken Place—it is this, that President Lawrence has resigned his Seat, and to morrow is assigned for a new Election the Causes of this Occurrence will no Doubt be given to you by your Brother; Time will not admit of my doing it.⁶ . . .

663. HENRY LAURENS, NOTES ON HIS LETTER OF RESIGNATION.¹

[December 9, 1778.]

a² Five States, Ay, for reading the printed Letter; six, No; some of the latter as the President has been informed, were influenced by an opinion

⁴ See the *Journals*, Dec. 5, 7. Cf. nos. 545, 549, 554, *ante*, 669, *post*.

⁵ See no. 658, note 3, *ante*, and nos. 677, 691, 697, *post*.

⁶ See no. 659, *ante*, and nos. 663-668, 671, 672, 676, 677, 683, 687, *post*.

[663]¹ Among the Laurens Papers in the possession of the South Carolina Historical Society are two copies of the speech delivered by Henry Laurens Dec. 9, 1778, upon resigning the presidency of Congress. One of these copies, found in vol. I., f. 52, is in the writing of Moses Young, Laurens's secretary, with a few additions and corrections in Laurens's own hand. The other copy is in a volume designated "Miscellaneous Essays and Projects". To each of these copies are appended some annotations, endorsed, "Respecting the President Leaving the Chair"; and it is these that are here printed, the text used being that in the volume of Miscellaneous Essays and Projects. The speech of resignation itself is printed in the Library of Congress edition of the *Journals* under Dec. 9, and it is there noted that it was first printed in the *Pa. Mag. of Hist. and Biog.*, July, 1889 (vol. XIII., p. 232), and that a copy, in the writing of Moses Young, is found among the Hamilton Papers in the Library of Congress. There is also a copy in Force Trans., Whipple, p. 577. The annotations do not, however, appear with either of the texts last mentioned.

² Note a is upon the paragraph ending, "passed in the negative by a majority of one state". In the text in the *Journals* it is next to the last paragraph on p. 1203.

that it would be waste of time to read what could give them no information, and these intended to vote for a Committee. the question for a Committee was over ruled by management in spinning out time to one o'clock, when a certain Order of the day to be taken up at that hour, and which cannot be postponed but by unanimous consent, was peremptorily called for.

*b*³ By the device above mentioned

*c*⁴ The President had frequently premonished Congress of his intention to resign the chair on the 31st of October when he should have served in it one whole Year agreeable to the Articles of Confederation; therefore on that day being Saturday he reminded the House of his several former intimations, and humbly intreated them to make choice of some other Member to fill the Chair on the following Monday.

The House discovered a general disinclination to the measure,⁵ and after some expostulation⁵ determined against a decisive opinion until Monday. On the intervening Sunday Morning, the first of November, a Newspaper, printed in the Garrison of New York, was put into his hands, and he was pressed to read a Letter published in that Paper by some Person who professed much personal regard for him, founded upon an old acquaintance and friendship, and expressing the Writer's astonishment that such a Man as he described the President to be, should sit at the head of that Banditti (or some term of the same import) the American Congress.⁶

This circumstance embarrassed the President. he had been extremely desirous of quitting the Chair but now became adverse to gratifying the Enemy, who seemed to have thrown the flattering Letter above mentioned in his way as a temptation. he therefore waited in silence till Monday for the final opinion of Congress.

On Monday he repeated his request that the House would proceed to the Choice of a new President; after some conversation and debate, the House were pleased to signify by the voice of a respectable Member, their perfect satisfaction with his whole conduct, and that it was their unanimous request, he would continue to sit as President for some time longer, which the President *then* chearfully complied with, and he confesses that he felt some degree of exultation in the thought of having it in his power by an event so honorable to himself, to demonstrate to his quondam friend in the Garrison, that he was not to be captivated by flattery.⁷

³ Note *b* is upon the words, "my motion was quashed", second paragraph, p. 1204.

⁴ Note *c* relates to the statement at the top of p. 1206. The index letter is attached to the word "last" in line 3.

⁵ The other copy has here "deliberation".

⁶ The letter referred to appeared in the *Royal Gazette*, Oct. 14, and is signed "Verax". It is reprinted in *Hist. Magazine*, X. 316. The writer declares that the seats in Congress, as every one knows, "are very differently filled from what they once were; the men of sense, character and property, have either abandoned that assembly, or have been drove out of it, and their places supplied by the indigent, the worthless, and the desperate". After expressing surprise that a man of Laurens's character would sit with such a body, he adds, "Was the united testimony of the whole Congress to be produced to his giving his approbation to that indecent and illiberal answer to Sir Henry Clinton's last letter, I would not believe them, unless I had his assurance."

⁷ See no. 598, *ante*, and no. 664, *post*.

*d*⁸ Alluding particularly to the manner in which the motion had been quashed, as well as to manners in general, which were well understood.⁹

664. PHILOPATROS [HENRY LAURENS] TO PHILALETES
[[JOHN PARKE?]].¹

Sir

Perhaps it is of little importance to the present World as it will be "for the benefit of succeeding generations" to know from what motives or under what influence Mr. Laurens the late President of Congress submitted to continue in the Chair after the 31st October last, but since the circumstance has been alluded to and variously related in print by two Writers without the previous consent or knowledge of that Gentleman, and by neither of them exactly stated, I will, for your better information, recite to you in a few words the fact.

Mr. Laurens had frequently intimated to Members of Congress his intention of retiring from the Office of President on the day above mentioned when he should have served in it one Year, he had as often expressed his approbation of the inhibitory clause in the ninth Article of Confederation "that no Person be allowed to serve in the Office of President more than one Year in any term of three Years," and also his earnest desire to comply with it in the first instance. Agreeably to these sentiments he put Congress in mind on the 31st October being Saturday, that his Years service would expire upon the adjournment of that day. He *humbly desired leave* to retire, and intreated the House to think of a Member to succeed him. After some debate or conversation it was determined, *without a vote*, to deliberate on the subject in the interval between the Adjournment and the next intended meeting.

On Monday the 2nd November Mr. Laurens, *not in the Chair* but being called upon to take it, moved the members then present in the Congress Hall to proceed to the election of a President, declaring his abhorrence of all affected disqualifying speeches, that he meant to offer none such, although he was persuaded there were Gentlemen on the floor better qualified for the Office than himself, but that he was extremely desirous of being relieved as well as of shewing a proper observance to the restrictive Proviso in the Articles of Confederation.

After some debate and conversation a Member suggested that it would be highly improper to proceed unless the President would take the Chair. Mr. Laurens replied that in his opinion such formality was not necessary,

⁸ Note *d* refers to the expression, "the manner in which Business is conducted here", in the second line from the end.

⁹ The other copy of the notes has here, added in Laurens's own writing, "by the Members then present".

Concerning the resignation, see, further, nos. 664-668, 671, 672, 676, 677, 680, 683, 687, *post*. Cf. Wallace, *Life of Laurens*, pp. 302-315.

[664]¹ S. C. Hist. Soc., Laurens Papers, Misc., (in the writing of Moses Young). Although this statement was evidently prepared for the press, it has not been discovered whether it was actually printed. It is without date and is accordingly given what seems to be its most appropriate place, namely, beside Laurens's notes on his resignation, which in part refer to the same episode. Nevertheless the article itself contains evidence that it could not have been written earlier than Jan. 23, 1779. See note 5, below.

nevertheless if Gentlemen thought it would be a means of facilitating business, he would comply. When he had taken the Chair, addresses and private Conferences ensued on the floor, altogether as impossible as it would be *unessential*² to recapitulate; eventually an old and respectable Member³ who appeared to have been chosen and instructed for the purpose, addressed the President in terms of assurance that the House was entirely satisfied with his past services, and that it was their unanimous *request* he would continue to sit in the Chair until the Articles of Confederation should be acceded to by all the States, or at least, for some time longer. It was this honorary, unanimous request "*in which he acquiesced*".

Permit me now Sir to inform you how it came to pass that this "unanimous request" was omitted in the Journal. The Secretary of Congress had prepared the form of an Entry for the purpose; which he laid before the President for his approbation or amendment after a moments reflection Mr. Laurens replied to the Secretary that an Entry was unnecessary his sole view was to serve his Country, that he had no anxiety for obtaining complimentary Records. I will mention another circumstance, which will afford further satisfaction to a lover of truth.

Although there was not a full Congress on the 2nd November, yet comparatively and according to common acceptance, the House was not thin. This will appear by reference to the Journal.

The above, Philalethes, is a brief and true state of the Case in question, which will be confirmed to you by every Member who attended Congress on the 31st October and 2nd November 1778 if you will take the trouble of appealing to them.⁴

But I do not mean to charge either you or Common Sense with wilful or mischievous aberation from truth.

The History of the miraculous feeding a multitude of four or five thousand Persons with a few loaves and fishes is differently related by Matthew and Mark, yet both these Evangelists have been in full credit throughout Christendom upwards of 1700 Years, and will continue to be so to the end of time.

I am Sir

Your Most Humble Servant

PHILOPATROS.

[Endorsed:]

To Philalethes⁵

² This word is written above "unnecessary", but the latter is left unerased. This was probably intentional, as Laurens frequently employed in this way alternative words and phrases.

³ Probably Samuel Adams. See Wallace, *Life of Laurens*, p. 302, and cf. no. 671, *post*.

⁴ See nos. 598, 663, *ante*.

⁵ In the violent newspaper controversy which Silas Deane's article in the *Pennsylvania Packet* of Dec. 5 set going, "Philalethes" was one of the chief protagonists of Deane, as Thomas Paine (using principally the pen-name "Common Sense") was his chief antagonist. The first article by "Philalethes" appeared in the *Packet* of Jan. 19, 1779, and a second in the issue of Jan. 23. Replies by "Common Sense" appeared in the issues of Jan. 21 and 26, respectively. These are all found in N. Y. Hist. Soc., *Collections: Deane Papers*, III. 292-335. The passages to which Laurens alludes are *ibid.*, pp. 93, 305-306, the first being in the reply of "Common Sense" to Deane, printed

665. HENRY LAURENS, MEMORANDA.¹

Resigned for good and sufficient reasons, which were read in Congress from the Chair.²

9th December 1778.

HENRY LAURENS.

10th. Offered to lodge in Congress the Paper containing the reasons for resignation above alluded to, and also the Books containing Copies of Official Letters written by me as President. some objections by Mr. Gouver. Morris against the first—and the House came to no determination. both therefore remain for the demand of Congress.

10th Decem. 1778

HENRY LAURENS

666. JOHN FELL, DIARY.¹

[December 9, 10, 1778.]

9. Wednesday Hon'ble Henry Laurens Esqr. Resign'd his Chair as President of Congress²

1778, Decr. 10th. Thursday.³ Hon'ble John Jay Esqr. was Elected President in the Room of Mr. Laurens Resign'd for Mr. Jay 8 States, Mr. Laurens 4. Virginia not Represented. Dined with Mr. Laurens

in the *Packet* Dec. 15, the second in the defense of Deane by "Philalethes", in the *Packet* Jan. 23. In a letter to Laurens Dec. 15 Paine explained that his object in saying what he did concerning Laurens's offered resignation, Oct. 31, and the proceedings in Congress thereon was to prevent the enemy from drawing unjust conclusions from an accidental division in the house (see Conway, *Life of Thomas Paine*, I. 125).

In the second reply of "Common Sense" to "Philalethes" mentioned above (*Packet* Jan. 26) is this remark: "I am told that the writer or assistant writer of the piece signed "Philalethes" is believed to be a person of the name of Parke, and that he is subject at times to fits of craziness" (N. Y. Hist. Soc., *Collections: Deane Papers*, III. 326). Professor Wallace also, in his *Life of Laurens* (p. 332 n.), identifies "Philalethes" with "Colonel Parke". He was probably Col. John Parke (1754-1789), who is credited with an able reply to the notorious letter of the Rev. Jacob Duché to Washington (included in an appendix to the spurious publication, *Letters from General Washington to several of his Friends*; see Moore, *Correspondence of Henry Laurens*, p. 59, and Ford, *Spurious Letters Attributed to Washington*, p. 13). In 1786 he published a volume of poems, chiefly translations from the classics, but including some original productions, which was dedicated to Washington (see Appleton, *Cyclo. Am. Biog.*, and Allibone, *Dictionary of Authors*). His "Ode to Washington" (an adaptation from Horace) and his "Virginia: a Pastoral Drama on the Birth-Day of an Illustrious Personage and the Return of Peace, February 11th, 1784", have been reprinted as *Magazine of History Extra*, no. 91.

[665]¹ Library of Congress, President's Letter-Book, II. 211. These memoranda are the last entries in the Letter-Book kept by President Laurens, and both are in his own hand.

² See nos. 659, 663, 664, *ante*, and no. 680, *post*.

[666]¹ Library of Congress, Journals and Diaries.

² Samuel Holten's Diary records under Dec. 9 and 10 the resignation of Laurens and the election of Jay.

³ With the first entry on a new page Fell customarily set down, as here, the full date.

667. JOHN JAY TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

PHILADELPHIA 10 Decr. 1778.

Dear Sir,

Many unavoidable Delays prevented my arrival here till Sunday evening last.

Yesterday Mr. Laurens resigned the Chair, and this morning Congress were pleased to appoint me to succeed him. This Circumstance was unexpected.² Let your public Letters be public ones. I mean that public and private matters should not be mixed in the same Letters.

Commodore Wynkoop's memorial has been presented and committed. You shall have the earliest intelligence of its Fate.³

The Season for bringing on the affair of Vermont is not yet arrived, nor can I divine what will be the Issue of it. I can only say that my Endeavors shall not be wanting to bring it to a Termination satisfactory to New York. . . .

668. JAMES DUANE TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

PHILADELPHIA, 10th. Dec'r, 1778.

Dear Sir,

Mr. President Laurens, who has been in the Chair 13 months yesterday resigned, sated with honor, and worn down with fatigue. A respect as to the Confederacy had an influence on this measure. You remember this grand instrument of our federal union restrains the same member from serving more than a year at one time.²

A great majority of Congress immediately determined that one of the New York Delegates should succeed in the Chair. We held up General Schuyler, which seemed to be very agreeable. On account of his absence, Mr. Jay was prevailed on to take the chair with a resolution on his part to resign in favor of General Schuyler as soon as he attends.³ I hope we shall be able to contrive the means of his executing the particular commission with which he is intrusted. On this subject we have not yet conferred any further than to learn to my utter astonishment that he is not possessed of the Maps and papers reported by a Committee of Convention to justify our claims. I entreat your Excellency to forward one of the

[667]¹ *Clinton Papers*, IV. 360.

² Cf. no. 668, *post*. See also *Correspondence of Jay*, I. 184.

³ See the *Journals*, Dec. 10, 1778, May 4, 1779.

[668]¹ Harvard Univ. Lib., Sparks MSS., XII. 53.

² See the speech of resignation in the *Journals* (Library of Congress edition), Dec. 9; also Laurens's comments, no. 663, *ante*. Cf. nos. 671, 676, 677, 680, 683, 687, *post*.

³ Cf. no. 603, *ante*. Gouverneur Morris wrote to Clinton the same day, "The weight of his personal Character contributed as much to his Election as the Respect for the State which hath done and suffered so much or the Regard for its Delegates which is not inconsiderable" (*Clinton Papers*, IV. 360).

Maps and a copy of the minutes of the Committee, or rather of their state of the territorial claim of New York.⁴

All the States except Maryland and Delaware have actually signed the Confederacy. New Jersey without waiting for our offer. I fear it will cost me a jaunt to Maryland to prevail on that State to accede; as I am spoken of as one of a Committee for that purpose. Disengaged as we are from any obligation to New Jersey we propose to hold out the grant of the bounty lands to Maryland. The want of ability to gratify their soldiery is a capital if not the material objection.⁵

I write in a hurry after the fatigues of the day. I write in confidence because I have not time to weigh what I write. Your Excellency I wish to see what passes on every important event.

669. FRANCIS LIGHTFOOT LEE TO ARTHUR LEE.¹

PHILADELPHIA Decr. 10th 1778

My dear Brother

After having been absent since the beginning of June, I arrived here the 7. of Novr. our bro'r having [left] it a fortnight before.² I was astonished to find that S. Deane had made so great progress in the Art of intriguing, as to have formed here a very dangerous party who think it necessary to their designs, to remove all the old friends of Liberty and Independance, for which purpose every Lie their invention can furnish, is circulated with the Air of certainty, and the blackest colorings given to Actions in themselves indifferent or accidental. This party is composed of the Tories, all those who have rob'd the public, are now doing it, and those who wish to do it, with many others, whose design, I fear, is of a much more alarming nature, and a few who wish to succeed to Offices abroad. All these together form a very powerfull body. Having prepared the minds of the people, by a number of understrappers, who have been circulating their insinuations and falshoods thro' the Country with great industry; they opened the attack on the 5th inst. with the peice in Dunlaps Paper,³ which you must have seen before this reaches you. The air of importance and confidence which accompanies it and the lavish professions of Love for the people, give it great weight in this City and I dare say, will elsewhere, till the truth comes to be known for they have their dependencies thro' the Continent by means of their new formed commercial Establishments.

⁴ The credentials of Jay, bearing date of Nov. 10, are found in the *Journals* under Dec. 7. His special mission was to endeavor to settle the Vermont question satisfactorily to New York. Cf. nos. 644, 646, *ante*, and nos. 672, 673, *post*.

⁵ See no. 638, note 2, *ante*; also Duane to Clinton Jan. 3, 1779, in vol. IV. The appointment at this time of such a committee to prevail on Maryland to ratify the Articles of Confederation evidently did not take place.

[669]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia; Va. Hist. Soc., Lee Trans., V. 97.

² Richard Henry Lee had left Congress Nov. 3 (see no. 605, *ante*), and Francis Lightfoot Lee attended Nov. 9.

³ Deane's article in the *Pennsylvania Packet*, Dec. 5. Francis Lightfoot Lee himself had in the *Packet* of Dec. 8 a brief communication anent Deane's address, and a note by Deane in response is in the issue of Dec. 10. These are in N. Y. Hist. Soc., *Collections: Deane Papers*, III. 77, 78. See nos. 658, 662, *ante*, 677, 687, 691, 697, *post*.

I make no doubt you will be astonished when I tell you that Congress has not called him to account for this peice; as at the first glance you must perceive it contains a daring insult to that body, and the greatest injury to the public good. but your wonder will increase, when I assure you, that the part where he complains of the Ears of Congress being shut to him, is an impudent falshood. the fact is, that beside the two Audiences which he had, he wrote them several Letters; in all of which he never mentioned one word of this pretended treachery of yours. every day he might have communicated by Letter whatever he pleased; and some days before his publication, Congress had allotted some part of every day, for their foreign affairs, untill they shou'd get thro' them, of which he had notice.⁴ The want of a Cypher, prevents my explaining this fully to you. but you may know, that the old Whigs are really struck with amazement at the boldness of this party; and seem willing to let them run on in full security, that they may the easier get to the bottom of their designs and know the whole of their strength. A great man,⁵ appears to me, to give all his influence to this party. I cannot as yet discover what are his intentions. if he really means, mutual Advantage, I think *he* is *their* dupe, notwithstanding all his sagacity. If he has any sinister designs upon this Country; *they* are *his* dupes; for I know they are not friends to his State. The first consequence which they expect, is the recall of yourself and our bro'r;⁶ which may perhaps take place. You will therefore see the necessity of sparing neither time, nor pains, to provide yourself with all the means necessary, both for attack and defence. in the mean time, every thing will be done, by your friends, that is in your [their] power to open the Eyes of the people, and set S. Deane in his true light. Mr. C——⁷ acts the same part here, that he did in France. Your old friend D——⁸ is strong with them, together with the New Yorkers and Maryland. Mr. Lovel no doubt has communicated all our news. We have just heard, that 30,000 ton of Shipping are order'd to be immediately taken up on Government service at New York, and a general embargo laid. This looks like an intention of quitting that place. a few days will determine it.

Yours aff'tly

F. L. L.

670. JOHN FELL, DIARY.¹

[December 11-13, 1778.]

11th. Fryday Coll. Scudder gon[e] home, State of New Jersey not Represented.

⁴ See the *Journals*, Dec. 1.

⁵ It is uncertain who was the "great man" here alluded to. It may have been Jay, although the fact that Jay had been in Congress only three days militates against this conjecture. If it was Gérard, the allusion to France as "his state" is unusual.

⁶ William Lee.

⁷ William Carmichael.

⁸ William Duer. See no. 683, *post*.

[670]¹ Library of Congress, Journals and Diaries

12th. Saturday. A Number of Petitions and Memorials A Letter from Gen Washington was read advising that the Enemy had left the North River etc.

13th. Sunday A great deal of Rain. Dined with Mr. Levy

671. SAMUEL ADAMS TO MRS. ADAMS.¹

PHILADELPHIA Decr. 13 1778

My dear Betsy,

Captn. Johnson will deliver you this Letter, which incloses a Publication in the last Tuesdays Paper.² You will easily guess which of the Massachusetts Delegates it is intended for. The Design of it is to represent Mr Temple as a British Emissary and that Delegate as listening to his Proposals of Accommodation with Great Britain, and thus to beget a Suspicion of him in the Mind of the Minister of France, with whom he has the Honor of being on friendly Terms. That Delegate has been so used to the low Arts of Tories in his own Country, as to have learned long ago to treat them, wherever he sees them, with ineffable Contempt. He does not think it worth his while to satisfy the Curiosity of the Writer, but he can assure his Friends, that he had never called on Mr T but once and that was to show him the way to Mr President Laurens' House, to whom he had Letters to deliver, one of which was from the Council of Massachusetts Bay. As a Delegate from that State, he could do no less than show such a Piece of Civility to Mr T, and he is determind, notwithstanding the *apparently* friendly Hint, to treat him as he thinks proper.³ Between our selves, I can not say I am not embarrassd with Mr T's Arrival here; He is highly recommended, and I believe him to be an honest American. But the Time and Manner of his leaving England fix a Suspicion in the Minds of well disposd Men, which cannot easily be removd; and his Residence at the Court of America, if I might so express it, gives bad Men a Sort of Occasion, to say that Congress, notwithstanding all they have publickly given out, are secretly treating with the Ministers of Great Britain through their Emissaries in America, than

[671]¹ *Writings* (ed. Cushing), IV. 95; N. Y. Pub. Lib., Samuel Adams Papers.

² The item referred to appeared in the *Pennsylvania Packet* Dec. 8. It is entitled "A HINT" and was offered by a person styling himself "a Friend to the Independence of America" and signing himself "CENTINEL". The essential parts of it are: "It is recommended to an Honorable Member of Congress, of the State of Massachusetts Bay, who frequently declares himself to be of a *jealous temper*, and that *jealousy is the best security of public liberty*, not to be so frequent in an exchange of visits with J— T—, Esq; lately arrived in this city . . . lest he may incur that reproach which has too often with justice been thrown on Divines, namely, 'That they do not practice themselves what they preach to others.'" Adams makes further remarks upon this newspaper item in his letters to Bowdoin, Winthrop, and Cooper, nos. 685, 689, 698, *post*. The Captain Johnson who bore this letter may have been Isaiah Johnson. See the *Journals*, Nov. 28. Samuel Holten records in his Diary for Dec. 5, "Capt. Johnson dined with us".

³ Adams mentions here a conversation with "Monsieur ———" (evidently Gérard) respecting Temple. The conversation is related more at large in the letter to Bowdoin, Dec. 19 (no. 685, *post*).

which Nothing can be more contrary to Truth. I do not care therefore how soon Mr T thinks of returning to New England.⁴

[P. S.] I forgot to tell you that last friday Mr President Laurens having dischargd the Duties of his Station for more than one year with Fidelity and to the Acceptance of the Members, resignd the Chair, and John Jay Esqr a Delegate from New York was chosen in his Room. To this Gentleman I chearfully gave my vote.⁵

Mrs. Clark and her Sister Miss Daily in whose house the Massachusetts Delegates are agreeably scituated present their respectful Compliments to you.⁶

672. WILLIAM WHIPPLE TO JOSIAH BARTLETT.¹

PHILADELPHIA 14th Decr 1778.

My Dear Sir

Since you left Congress Messrs. Jay and Duane have taken their seats. the first mentioned Gentn was last Thursday put into the Chair on the resignation of that very worthy Gentn you left in it.² I have so high an opinion of Mr. Laurens that I must confess I exceedingly regreted his leaving the Chair. however I hope it is again well filled Mr. Jay is a Gentn of acknowledged abilities and great application I have therefore no doubt the Business will be well conducted so far as it respects the President. The Business of finance is in considerable forwardness. I hope in a few days more the present System will be finished by Congress, and doubt not the States will do their part with Alacrity. the Tax will be very considerable perhaps 15 or 18,000,000 this seems a large sum, but when we consider the immense sum in Circulation I cannot think it will be difficult to raise provided it is justly proportioned.³

Mr. Wheelock has been here with a number of applications among which is one for Money for the Indian School this is not yet determined. another that Bedels Regiment might be kept up. this produced an order that the Regiment should be immediately Disbanded he also brought a letter from a Joseph Marsh, a copy of which I have inclosed to Col. Weare.⁴

P. S. I was a little surprised at a letter from the Council of New-Hampshire recommending Mr. Temple to Congress. I cannot recollect any Gentn of that Board who have had an opportunity of being thouroughly acquainted with that Gentlemans Charecter. surely his having formerly been Lieut. Govr. of New Hampshire can be no recommendation. there are many anecdotes of him (some of which are well authenticated)

⁴ See nos. 498, 651, *ante*, and nos. 672, 685, 689, 698, 699, *post*. See also a letter from James Lovell to Richard Henry Lee, Dec. 10, in N. Y. Hist. Soc., *Collections: Deane Papers*, III. 78.

⁵ See no. 668, *ante*.

⁶ See no. 388, note 2, and no. 615, *ante*.

[672]¹ Hist. Soc. of Pa., Dreer Coll., Members of the Old Congress, V. 69; *Hist. Magazine*, VI. 77.

² Cf. nos. 659, 663-668, 671, *ante*.

³ See the *Journals*, Dec. 13, 18, 19, 21, 26, 29, 31; also Jan. 1-14, 1779, *passim*. Cf. nos. 679, 687, 688, 693, *post*.

⁴ See nos. 644, 646, 660, *ante*, 673, *post*.

that renders Mr. Temples Charrecter at least problematical, indeed in some Gentlemens minds they amount to a conviction of his being a tool of the British Court ⁵ more of this here after

673. WILLIAM WHIPPLE TO THE PRESIDENT OF NEW HAMPSHIRE
(MESHECH WEARE).¹

PHILADELPHIA Decr 14th 1778

Sir

In my last ² I mentioned a memorial from the People who withdrew from the Windsor Assembly, on farther inquiry I find myself mistaken in the form of the paper it being a letter from a Mr Marsh ³ who stiles himself Chairman of a Convention, a copy of this letter I take the liberty to inclose. the paper refered to in the letter, (called the "out-lines of a plan for settling all matters in controversy with N. Hampshire"), is in print.⁴ I therefore imagine you are possessed of it. What the views of these People are I know not, but I am much inclined to think the western part of the State will be kept in a perpetual Broil 'till a final settlement of the Jurisdiction. There are three ways of determining this matter, that Country must be under the Jurisdiction of New-York, or New-Hampshire, or it must be a seperate State. The People are so exceedingly averse to the first that they never will voluntarily submit to it, and Humanity forbids that they should be compeled to Unite with a people for whom they have an inextinguishable aversion, arising from the injuries they have suffered, by the most cruel acts of Injustice. Should the last take place, I am very apprehensive that many Towns on the Eastern side of the River will be fond of joining them, by which means New-Hampshire will be embroiled in a very disagreeable contention or subscribed to a very small compass, and that limited Territory subject to the discharge of an immense debt incurred for the defence and protection of the whole. When these matters are fully considered I think every one who has the Happiness of Mankind and Peace and Welfare of New-Hampshire at Heart will be convinced of the propriety of her claiming the jurisdiction, it would be a piece of presumption in me sir, to point out to you, the advantages resulting to New-Hampshire from such an extention of her Territory. They undoubtedly are many and great. The perticular scituation of affairs in that Country I should suppose calls for the immediate attention of the Legislature, and if it should be determined to Claim, (which my own feeling will not suffer me to doubt) it will certainly be thought necessary to make immediate provision for the support of the Claim, in order thereto I beg

⁵ See the *Journals*, Dec. 3, 8, and no. 671, note 4, *ante*.

[673]¹ N. H. Hist. Soc., Weare Papers, VI. 14; Library of Congress, Force Trans., Whipple, II. 585; Harvard Univ., Sparks MSS., XXXV. 81.

² No. 660, *ante*.

³ Joseph Marsh. See the *Journals*, Nov. 28, and no. 672, *ante*.

⁴ Marsh's letter, dated Oct. 23, was read in Congress Nov. 28 (see the *Journals*, p. 1174, note 2). It is found in *N. H. State Papers*, X. 289. The accompanying paper to which Whipple refers is doubtless the so-called "Protest", dated Oct. 22, *ibid.*, p. 285. The latter is also in Slade, *Vermont State Papers*, p. 100, and *Records of the Governor and Council of Vermont*, I. 422.

leave to suggest the propriety of speedily employing some able Lawyer to collect materials and make himself Master of the subject. New-York are very solicitous for a settlement, that State has sent a Delegate extraordinary⁵ to Congress for that purpose, and I have reason to think Congress will be hard pressed to do something in the matter. I therefore wish to know the minds of my constituents as soon as possible. Whether they will send another Delegate who may be well acquainted with the business, or will Instruct their Delegates now in Congress, must be left to their decision. I must confess I most heartily wish that the former method may be adopted. I cannot suppose the expence will be an objection when the Magnitude of object is considered, which is nothing less than doubling the Territory of a Sovereign Independent State.⁶

674. SAMUEL HOLTEN, DIARY.¹

[December 14, 1778.]

14. There was a grand ball at the city Tavern this evening, given by a number of French Gentlemen of distinction. I had a card sent me but declined attending. I think it is not a proper time to attend balls when our country is in such great distress.

675. JOHN FELL, DIARY.¹

[December 14, 15, 1778.]

14th. Monday. Letter from Count Polaska Read referrd to the Board of Warr.

15th. Tuesday. Dr. Wetherspoon came to Congress

676. JAMES DUANE TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

PHILADELPHIA, 15th. Decr. 1778.

Dear Sir,

. . . . You will see by our papers a ridiculous squabble between Deane and the Lees. It may amuse a leisure hour. Our late honorable President was exceedingly wounded that Deane was not called to account by Congress and resigned. I was not present; but from what I can discover his zeal transported him a little too far. Congress ought certainly to be careful how they attempt to stop the channel of communication in a free country; it may give rise to dangerous suspicions: if their conduct is irreprehensible, they can suffer no diminution of dignity; if exceptionable, it is right it should be known. Misrepresentation is only to be guarded against and condemned.²

⁵ The "Delegate extraordinary" was John Jay. See no. 668, *ante*.

⁶ Cf. nos. 597, 672, *ante*, and Whipple to Bartlett, Jan. 3, 1779, in vol. IV.

[674]¹ *Essex Inst. Hist. Colls.*, LV. 176.

[675]¹ Library of Congress, Journals and Diaries.

[676]¹ Harvard Univ. Lib., Sparks MSS., XII. 54.

² See no. 668, *ante*.

677. FRANCIS LIGHTFOOT LEE TO ARTHUR LEE.¹

PHILADELPHIA Decr. 15, 1778.

My dear Bro'r.

. . . . We have had nothing from the party since my last, only that Mr. Wm. Lee's name is in the list of Aldermen, in the Calendar for 1778. I expect an attack in this days paper, upon S. Deane, by Common Sense.² he knows a good deal of the transactions, and if in earnest, can do a great deal of good. Congress has yet done nothing in finance or foreign affairs. I fear there is a design in some that nothing shall be done, that things may get into such disorder, as to make the people wish for the old Governmt. Congress has no power, and every Villain whome they want to call to account, insults them.³

The inclosed Letter from Mr. Laurence, will give you an Account of his resignation and his reasons.⁴ he is really an honest Man, and I hope will do a great deal of good. Jay, is President. . . .

678. JAMES LOVELL TO HORATIO GATES.¹

15 Decr. 1778

Dear General

. . . . I am only able to give you the reading of Dunlap's Papers through Mr. Hancock as I am stinted to a small Number. From that reading and conversation with my very honest Cousin the Bearer² you will have an insight into some droll Management here and be able to form a tollerable conjecture which of the two are rendering best Services to Gr Britain, the wicked Mr. Temple³ or the good Mr. Deane. I do not think that the Public will be any Losers by the Time they spend in view'g a late Commissioner at the Court of France and the present Secretary to the Committee for foreign Affairs tie and untie a few Knots,⁴ since the former has been pleased to call up that Species of Diversion.

679. JOHN FELL, DIARY.¹

[December 16, 1778.]

16th. Wednesday.² Motion from one of the Treasury to take out of Circulation all the Emissions of May 20. 1777 and April 1778—41 Million

[677]¹ Univ. Va. Lib., Lee Papers.

² The reply of "Common Sense" (Thomas Paine) to Silas Deane appeared in the *Pennsylvania Packet* Dec. 15. It is in N. Y. Hist. Soc., *Collections: Deane Papers*, III. 86. Cf. nos. 658, 669, 671, *ante*, and nos. 678, 680, 683, 687, 691, 697, *post*.

³ An allusion probably to the case of Brig.-Gen. William Thompson. See no. 662, *ante*, and nos. 680, 695, *post*.

⁴ This letter has not been found. See the reply, Dec. 26, in *Letters of Richard Henry Lee*, I. 462.

[678]¹ N. Y. Hist. Soc., Gates Papers, XIII.

² This "honest cousin" has not been identified, though it may have been Temple himself. Temple did not, however, leave Philadelphia until the 20th (see no. 689, *post*).

³ Concerning John Temple, see no. 671, *ante*, and nos. 685, 689, 698, 699, *post*.

⁴ The allusion is to Deane's address to the people and the reply of "Common Sense" (Thomas Paine, secretary to the committee of foreign affairs). See nos. 658, 669, 677, *ante*, 687, 691, 697, *post*.

[679]¹ Library of Congress, Journals and Diaries.

² The entry in Samuel Holten's Diary for this day is: "16. I was taken in Congress in the evening very ill and for about 10 hours was in the utmost distress, my life much despaired of." See no. 690, note 2, *post*.

500[000]³ 30 Million on Loan and 15 Million by Taxes for the Year 1779. Genl. St. Clairs acquital confirm'd New Jersey divided Dr. Weatherspoon No.

680. HENRY LAURENS TO THE PRESIDENT OF SOUTH CAROLINA
(RAWLINS LOWNDES).¹

16th December, [1778.]

Dear Sir

The last Letter I had the honor of writing to you is dated the 7th Instant, and went by Sea, therefore I trouble Your Excellency with a duplicate in company with this.

The Gentleman by whom I then had intended to write in a day or two, has turned his face another way. the present is a chance opportunity which affords me but a few minutes for paying my Respects. I must observe brevity and confine myself almost to one subject, and that a bad one, myself.

The Motion which I had the honor of making on the day above mentioned Respecting S. Deane's publication will appear in my Act of Resignation transmitted with this;² I had antecedently to the appearance of Mr. Deane's insult been exceedingly Chagrined by the tame submission of the great Representatives of the United States to the most gross affronts. four or five weeks have passed since proof by the Oathes of four Persons were laid before Congress, that Brigadier General Thomson *³ had, in the open Coffee House called Congress a Rascally set and a Set of Rascals, and particularly applying the approbrious term to the Chief Justice of this State then present, on Account of a determination in Congress to exchange Governor McKinley for Governor Franklin at the particular request of Delaware, by which Act Mr. Thomson was pleased to think himself injured. he afterwards insulted Congress by an Apologetic Letter, denying that he had called them Rascals, but acknowledging the application of the term Rascal to the Honorable Mr. McKean, wantonly adds Villain, and twice repeats that he had said that Gentleman was a Rascal and a Villain, this Letter stands recorded at full length on the Journals. Thomson is voted to be guilty of a breach of Privilege, and there the subject rests. he is in favor with a party who seem determined to support

³ The emissions of the series of May 20, 1777, were: May 20, \$5,000,000; Aug. 15, \$1,000,000; Nov. 7, \$1,000,000; Dec. 3, \$1,000,000; Jan. 8, 1778, \$1,000,000; Jan. 22, \$2,000,000; Feb. 16, \$2,000,000; Mar. 5, \$2,000,000; Apr. 4, \$1,000,000; those of the series of Apr. 11, 1778, were: Apr. 11, \$5,000,000; Apr. 18, \$500,000; May 22, \$5,000,000; June 20, \$5,000,000; July 30, \$5,000,000; Sept. 5, \$5,000,000; total of the two emissions, \$41,500,000. Cf. the committee report in the *Journals*, Oct. 28; also nos. 589, 672, *ante*, 687, 688, 693, *post*.

[680]¹ S. C. Hist. Soc., Laurens Letter-Book, 1777-1782, p. 238.

² Laurens's resignation is in the *Journals*, Dec. 9. See also his notes thereon, no. 663, *ante*. The motion referred to was for the appointment of a committee to report specially upon the contents of Deane's address (see the resignation). Cf. no. 658, *ante*.

³ * See appendix No. 1, relative to Gen. Thomson" [note by Laurens]. This is not, however, mentioned in the list of enclosures at close of this letter. Concerning the case of Brigadier-General Thompson, see nos. 662, 677, *ante*, and no. 695, *post*. Concerning the exchange of President McKinly of Delaware, see also nos. 90, 180, 462, *ante*.

him at the expence of the honor of Congress. Mr Deane's mischievous publication alarmed me. the House would take no other notice of it, but such as Mr. Deane has very improperly display'd to the World in the light of concession. failing in my attempt to rouse Congress to the vindication of their honor, I felt for my own, and Resolved to descend from the Chair to the floor where I could be of the most real service to my Country. The Act of Resignation must speak for its self. I felt it to be right, and there fore I believe it to be so, but the party of Deanites were pleased to catch at the concluding sentence, which I would not for any consideration have omitted, because I was persuaded good consequences would follow the strong reproof, and perhaps continue at least a fortnight.

A friend of mine unsolicited moved the House on the 10th Instant for thanks to the late President. he was Jockey'd by "the manner in which business is transacted here" and this repeated daily until Yesterday, when I in modest terms demanded a testimonial of my Conduct, intimating the honor and interests of Congress and the States were as nearly concerned as my own. If I had merited censure I would kiss the Rod, but I could no longer bear to be kept in a state of implied censure, that I held my act of Resignation to be the best Act of my Life, that if any Gentleman had taken offence at the concluding words, I had to say in Apology, that I did not mean to give the occasion etc. etc. the particulars of which shall be laid before Your Excellency by the next or some early opportunity. I then retired from the House, and after some debate it was resolved without a division "That the thanks of this House be given to the Honorable Henry Laurens Esquire, late President, for his conduct in the Chair and in the execution of Public Business" this comprehends an acknowledgement of propriety of conduct within doors and without, and an approbation of the late Presidents "sundry reasons" as it is entered on the Journals, for resigning.⁴ From this brief Sketch Your Excellency will be further impressed with a knowledge of "the manner in which Business is transacted here" and see that my repeated complaints have been well grounded. I hope my Countrymen will approve of my conduct. now I am releas'd from the Chair, my attention shall be bent to the investigation of the Secret and Commercial Committees Accounts, and to such other Business as comes within the compass of my abilities forsaking all *thoughts* of my private Affairs for some time longer.⁵

Mr Deane, notwithstanding his groundless assertions that the ears of Congress were shut against him, and that he had prepared to return to France and such stuff, is not ready now, at the end of twelve days with his Narrative, and 'tis not impossible that Common Sense has thrown him twelve days further back. I intreat Your Excellency will not believe that I have any improper attachment to the Lees. I am a little of the opinion that upon the whole information we shall see an explication of an old Proverb, although I am persuaded we shall not "*come by our Right.*"

⁴ See the *Journals*, Dec. 15, 16. Laurens's reply, Dec. 16, to the vote of thanks is in Wharton, *Rev. Dipl. Corr.*, II. 858.

⁵ See Wallace, *Life of Laurens*, pp. 313-315.

I am distressed for want of time to inform Your Excellency more minutely on this and other subjects of importance. I would wish that until I shall be enabled to do so, there may be no publication of what I have now the honor of transmitting.

I am

With the highest Respect and Esteem etc.

H. L.

Papers inclosed with this

Resignation of the President of Congress

Duplicate of the Letter of the 17th Inst.

Copy of a Letter from His Excellency J. J. Esq. President of Congress

5 Newspapers from the 5th Instant.

681. THE CONNECTICUT DELEGATES TO THE GOVERNOR OF
CONNECTICUT (JONATHAN TRUMBULL).¹

PHILADELPHIA Decembr. 16th 1778

Sir

We take the first Oppertunity by Mr. Sherman now on his return to Acquaint Your Excellency of Our Arrival at this City after a long and Tedious Journey Occasioned partly by bad Weather frequent Storms and extreme bad roads and some delay by the enemys Shipping being up the North River as far as Kings Ferry as Mr. Sherman will be able fully to Acquaint you with the late material resolutions of Congress and our not being here time Sufficient to Acquaint our selves with them will excuse our Omission for the present. The letter from your son² who was appointed Comptroller General was delivered and read and Committed, there has not yet been time for an Answer have no doubt they will excuse his attendance as requested at least till January I understand his appointment was very Unanimous Are with most Sincere respect and Esteem

Your Excellencies most Obedt. H'le Servts

ELIPH. DYER

JESSE ROOT

P. S.

682. JOHN FELL, DIARY.¹

1778, Dec. 17th. Thursday. Sieur Gerrard requested to Ship 6000 Cask of Rice, Reccomended to the State of So. Carolina to allow it;² Letter read from Genl. Washington at Middle Brook, Relating to the disappointment of the Commissioners, who went to Amboy to meet the British Commissioners to settle an Exchange of Prisoners. Committee appointed to answer the General, Mr. Laurens, Burk, Smith and Morris.³

[681]¹ Conn. State Lib., Trumbull Papers (M. H. S.), X. 284 (in the writing of Eliphalet Dyer); Library of Congress, Force Trans., Trumbull, X. 284.

² Jonathan Trumbull, jr. See the *Journals*, Oct. 31, Nov. 3, Dec. 15.

[682]¹ Library of Congress, Journals and Diaries.

² This is recorded under Dec. 16 in the *Journals*.

³ Fell omits the name of Samuel Adams.

Motion for Purchasing Horses in Virginia, Postponed to consult with the General. Motion on finance for the Bills to be cancelled by the first of June, for Weatherspoon, Duane, Geary, Ellsworth, agst. Smith and Burk. Dined with President Jay. Commercial Committee appointed vizt. Messrs. Laurens, Smith, Lewis, Searle and Fell.⁴

18th. Fryday. Letter from General Lee, Requesting the minutes of all the Proceedings relating to him; Do. from Mr Marlbon,⁵ Rhode Island, requesting to bring his Effects from Jamaica

683. EDWARD LANGWORTHY TO WILLIAM DUER.¹

PHILADELPHIA, Decr. 8th [18th?] 1778.²

Dear Sir,

Being just got to Congress and finding as usual we cannot proceed to business for want of a sufficient Number of States, I have sate down at the Table to scribble and communicate to you a few of my Sentiments.

You have no doubt heard of *the resignation of his Excellency Henry Laurens Esqr*, and of the extraordinary Oration he delivered previous thereto. Mr Deans publication was particularly aimed at; but notwithstanding the Phantasticability and absurdity of the President, the House were of Opinion there should not be the least restraint on the Liberty of the Press.³ as for my part I shall rejoice to see more publications on the proceedings of Congress. a little gentle Satyr will be useful on many occasions and will restrain the Spirit of Intrigue and Cabal. I shall say no more on this subject, until I have the happiness of seeing you, only that there never was a time when I wanted your presence more. . . .

684. THE PRESIDENT OF CONGRESS (JOHN JAY) TO THE PRESIDENT OF SOUTH CAROLINA (RAWLINS LOWNDES).¹

PHILADELPHIA 18th: Decr: 1778.

Sir,

I have the Honor of transmitting to you the enclosed Act of Congress of the 16th: Inst: It was passed at the Instance of the Minister of France to enable him to purchase and export from your State 6,000 Barrels of Rice for the Use of the French-Fleet.

⁴ The appointment of this committee is recorded in the *Journals* under December 14, in connection with the resolve to create a new committee. Probably the actual naming of the committee did not take place until this day.

⁵ The petition of Evan Malbone, sr., and Evan Malbone, jr. On the petition of Claver Taylor (see the *Journals*, Dec. 17) the committee made report Mar. 13, 1779; but there is no further mention of the Malbone case.

[683]¹ N. Y. Hist. Soc., Duer Papers, I.

² This letter is dated Dec. 8, 1778, and is so endorsed by Duer, but it was evidently written several days subsequent to Laurens's resignation, which was on the 9th. The statement "finding as usual we cannot proceed to business for want of a sufficient Number of States" suggests Dec. 18 as the probable date. Deficiencies in attendance prevented sessions in the evenings of Dec. 10, 11, 14, 15, 17, and 18, and altogether on Dec. 28 and 30.

³ See nos. 662-668, 671, 672, 676, 677, 680, *ante*, and no. 687, *post*.

[684]¹ Library of Congress, Papers Cont. Cong., no. 14, p. 4 (Letter-Book of President Jay).

The Middle and Eastern States cannot supply more Wheat this year, than the Inhabitants and Army will consume. New-York, New-Jersey and Pennsylvania have been so much embarrassed and injured by military Operations, as to afford at present but a small proportion of their usual Supplies. The Crops now in the ground indeed are great and promise plenty the next Season. The wheat in Maryland and Virginia and I may add North-Carolina, has been so destroyed or spoiled by a Fly which infests those Countries that but little Flour and that in general of a bad Quality can be procured there.

For these and other reasons the Congress think the proposed measure expedient. Unless there should be some weighty and at present unforeseen Objection to the Exportation in question, I flatter myself South-Carolina will chearfully give our Ally this proof of her disposition and determination to sustain and succour Armaments sent by him to defend the American cause.²

I have the Honor to be with great Respect

Your Excellency's most Obedt: and Hble Servt:

J. J.

685. SAMUEL ADAMS TO JAMES BOWDOIN.¹

PHILADE. Decr. 19th 1778

My dear Sir

Mr Temple was so obliging as to deliver me your Letter of the — of November.² The Day after his Arrival in this City, I offerd him my Service and introduc'd him to Mr President Laurens, to whom he had letters of high Recommendation, and among others from the Council of Massachusetts Bay. The President read these Letters publickly in Congress. I did not fail to communicate the Contents of those which I was honord with to individual Members.³ . . . The Minister Plenipotentiary of France could not but be attentive to these Suggestions. In a private Conversation with him at his House the other Day, when no one was present with us, Mr. Temples Name was mentioned. He said he knew not his personal Character—he understood that he was well recommended, but as he was under the violent Suspicions of the People here, his Residence so near the Congress might make improper impressions on the Minds of Persons abroad. It may reasonably be supposd that he is determind to merit the Character at his own Court, of a vigilant and faithful Minister.⁴ . . . I have done Mr. Temple the most substantial Acts of

² See the *Journals*, Dec. 16 (pp. 1221, 1224).

[685]¹ *Writings* (ed. Cushing), IV. 99; N. Y. Pub. Lib., Samuel Adams Papers.

² Bowdoin's letter, dated Nov. 7, is in Mass. Hist. Soc., *Collections*, sixth ser., IX. 428. A letter from Bowdoin to Washington on the same day is *ibid.*, p. 427. For earlier correspondence between Bowdoin and Adams concerning Temple see *ibid.*, pp. 423-427. See also letters of Thomas Pownall, William Pulteney, and David Hartley to Temple, in April and May preceding, *ibid.*, pp. 414-420. Some account of Temple will be found in the preface to the volume named. Cf. no. 498, *ante*.

³ What follows here is substantially the same as the passage in the letter to Mrs. Adams, no. 671, *ante*. Cf. nos. 689, 698, 699, *post*.

⁴ Concerning the active part which Gérard took in the matter of Temple's mission, see the paper by Elizabeth Kite, "Conrad Alexandre Gérard", in the American Catholic Historical Society's *Records*, XXXIII. 75 *et seq.*, where will be found in translation extensive excerpts from Gérard's reports.

Friendship in my Power, though I could not have the Pleasure of so much Conversation with him as I wishd and intended to have. He leaves this City suddenly.⁵

686. JOHN FELL, DIARY.¹

1778, Decr. 19th. Saturday. Genl. Lee to be furnish'd with all the Proceedings from the Reccords relating to his tryal; Motion to conferr with G'l Washington on ways and means to reduce the Expences of the Army, referd to a Committee of 5. vizt. Laurens, Duane, Geary, Ellsworth, and Smith. Dined with General De Portaille.

20th. Sunday. Commercial Committee met at Mr. Laurens's agreed to meet to morrow morning at 9. O Clock to choose a Secretary.

687. THOMAS BURKE TO THE GOVERNOR OF NORTH CAROLINA
(RICHARD CASWELL).¹

PHILADELPHIA Dec. 20th 1778.

Dr Sir:

On our arrival here which was on the 9th of this month, we found the City much engaged by a publication which you will find enclosed, and in which Mr. Deane has made some very home² accusations. We found it occasioned some little ferment in Congress, and that Mr. Laurens resigned the Chair, because they would not take notice of it, as an affront to their dignity. we thought it but prudent to decline going in, for a few days until this little fracas was over, leaving those to decide on punctilios who had been best acquainted with public characters.³ On our going into Congress we found them engaged principally on finance, and that they had spent much time in maturing something which we totally disapprove. I will endeavour to give you the General outlines as perfectly as they are yet to come to our knowledge.

Two Emissions are to be called out of circulation, viz. : 20th May 1777, 11th April 1778 on pretence of their being much counterfeited. They are by Authority of Congress to be called in by the 1st of June next, and not afterwards to be redeemed. They are to be replaced to the proprietors by Loan certificates or New Bills. Our objections are that Congress by its own authority cannot prevent the currency of money which our Laws made a legal tender, because that implies a power to suspend or repeal our Laws. That the time is too short for our people so dispersed as they are and so circumstanced as not to be able to receive notice in time sufficient to enable them to bring in their money. That it is not in the power of

⁵ He left the next day (see no. 689, *post*).

[686]¹ Library of Congress, Journals and Diaries.

[687]¹ *N. C. St. Recs.*, XIII. 328; Harvard Univ. Lib., Sparks MSS., XXXVI. 491.

² That is, accusations that are pointed and pierce home. The use of the word "home" in this sense is not usual nowadays, except in such expression as "home-thrust". Another instance of its use about the same time is mentioned by Professor David D. Wallace in his *Life of Henry Laurens*, p. 332 n.

³ Concerning the Deane publication, see nos. 658, 669, 677, *ante*; concerning Laurens's resignation, see no. 680, *ante*.

Congress to declare any Emission of money irredeemable at any certain time because it implies a power to destroy at pleasure the security which the people have in all the property vested in paper money. That all that should be done is to deny its currency and leave it to the States to enact Laws and fix the times of their operation for that purpose. We were however overruled, and we find that our Country will be subjected to the payment of a heavy debt, borrowed at an exchange of ten for one and which we must discharge at par, with six per cent. interest. This debt too is incurred to Commercial Individuals who alone have money to lend and who have acquired it by engrossing and extortion. Thus shall we realize fortunes for Individuals and subject our Country to a debt, which were it not for loans, a little industry would pay off, but which Loans make heavier than if all we have borrowed had been gold or silver. I believe this mischief is inevitable, and having long since foreseen it, I always was averse to giving the powers of borrowing and emitting to Congress by the Confederation, a power which I am persuaded will always be used for purposes partial, and unjust, and either to serve particular States, or Individuals to the prejudice of the whole community. Besides what I have mentioned, a vote is passed for raising by Tax fifteen Millions of dollars, a sum which I am persuaded is not equal to our abilities, but this simple and unexceptionable mode for sinking the excess of paper Currency, is not so much favored in Congress as the intricate, injurious and ineffectual mode of Loans, and the reason is obvious enough. Loans give advantage to the States who have furnished supplies at extravagant prices, and therefore abound with money, by giving them an opportunity of lending at a high interest when money is depreciated ten for one, to be paid hereafter, when it will be restored to its original value.⁴

688. WILLIAM WHIPPLE TO JOHN LANGDON.¹

PHILADELPHIA 21st. Dec 1778.

My Dear Sir,

. . . . I feel with you the distresses occasioned by the amazing depreciation of the paper currency, but flatter myself some relief is at hand. a plan for remedying this evil, is nearly completed and I hope it will have its desired effect. part of the plan will be to call in about 40,000,000 dollars of the circulating medium. the mode of doing this you will soon be informed of, together with other particulars.²

I shall do every thing in my power to get the Naval department arranged properly and hope in the course of the winter the business will be effected. Congress is so exceedingly pressed with business that it is difficult to get a matter attended to that does not appear of equal importance to every one. All monies that go to the Eastern department for Naval purposes must go through the Navy Board of that department.

⁴ See nos. 589, 672, *ante*, 688, 693, *post*.

[688]¹ Library of Congress, Force Trans., Whipple, p. 589.

² Cf. no. 687, *ante*.

689. SAMUEL ADAMS TO JOHN WINTHROP.¹

PHILAD Decr 21 1778

My dear Sir

Your obliging Letter of the [9th] of November was deliverd to me by Mr Temple immediately after his Arrival here. I must candidly confess that when the Gentleman informd me by his Letter dated in New York, of his Intention then to pay a Visit to this City, I was disagreeably impressd with it, and interestted my self, as far as I could do it with Decency, to prevent it. A certain Dr Berkenhout was here at that Time. He had formerly been a fellow Student with Dr Lee in Edinburgh; and although he brought no Letters from him, he made an Advantage of the old Connection, and addressd himself to Richard Henry Lee Esqr, the Doctors Brother and a Member of Congress, who from the Beginning of our Contest has been exceedingly obnoxious to our Enemies from his firm and invariable Attachment to our Cause. Dr Berkenhout was put into Prison by the Authority of this State on Suspicion, and afterwards dischargd for Want of Evidence against him. Perhaps he sufferd the more, from a certain Set of Men for valueing himself on Colo Lee; and the Colo himself has since sufferd the Reproach of an angry Writer and disappointed Man, for shewing Civility to a Person who was once acquainted with his Brother.² So true is the Observation I have somewhere met with, that a Man hardly ever speaks with another, but sooner or later he finds that he has receivd Good or Harm from it.

Had Mr Temple arrivd at that Juncture, I do verily believe he would have shared the Fate of Berkenhout. And the Testimonials he has since brought with him added to the warm Recommendations of some of my most virtuous and honorable Fellow Citizens have not been sufficient to obtain for him a welcome Reception. The Time and Manner of his leaving England, the Company he came with and the favorable Treatment he met with in New York, were judgd to be Grounds of Suspicion which more than balanced the Recommendations of his Friends and Countrymen, who, though acknowledgd to be very respectable, it was supposd, might possibly be partial in their Judgments of him. His Connections in Boston, and the Character he had sustaind there before he left that Place, it was said, made him the fittest Instrument to carry into Effect the Purposes of the British Ministers. The honest and zealous Whigs clamord against him because they imagin'd him to be a British Emissary; and the artful Tories, who would cordially receive such a Character into the Bosom of their Councils, if they could be sure of keeping him among themselves, joynd in the Clamor, either because they believd him to be a true American, or, if they judgd him to be a Spy, as they pretended, they did not chuse to trust him in the Hands of those who might possibly draw from him the Secrets of his Employers and detect him. The Tories appeard to be the most acute Politicians, as in my Opinion, I am sorry to say it, they too

[689]¹ *Writings* (ed. Cushing), IV. 101; N. Y. Pub. Lib., Samuel Adams Papers.

² The reference is probably to Deane's "Address" of Dec. 5. See nos. 564, 566, 635, 658, 662, 669, *ante*.

often are. Thus Mr T has had the Misfortune to be spoken ill of both by the Friends and Enemies of the Publick. A very grievous Misfortune, when the People scrutinize and decide upon Characters with Candor and Moderation, which perhaps does not take Place at all Times in any Country.

I have shown Mr Temple the most substantial Acts of Friendship in my Power; yet I must own to you I have been somewhat embarssd. A Delegate of the Massachusetts Bay who has been heard to say that "Jealousy is the best Security of publick Liberty," has been called upon in a publick News Paper "to be cautious of too frequently exchanging Visits with J T Esqr who is suspected to be a Spy" etc. . . . I do not suspect Mr Temple; but I have been under the Necessity of violating my own Inclination to pay every kind of Respect due to that Gentleman, or risque the *consistent* Character which a Delegate of that State ought to support in the Opinion of Congress, of the Minister of France and the People of America. . . . Mr Temple left this City yesterday.³ . . .

690. JOHN FELL, DIARY.¹

[December 21, 22, 1778.]

21st. Monday.² Commercial Committee 9 oClock. Present, Smith, Lewis, Searle and my Self chose Mr. Lawrence Chairman and Major Moses Young Secretary. Congress. 11 A M, great debates about calling in the Money so soon, ought not to be till money can be ready to be Exchanged for it. Commercial Committee to settle Mr. Saml. Cursons Acct.³ Mr. Root Balloted, for the Board of Warr.⁴ This day came to Lodge at the house of Mrs. Gibbon in Spruce Street.

22d. Tuesday. Memorial Read from Mr. Sutton Pay Master for the Loss of Money, carr'd in the Negative.⁵ At 6 P M, Mr. Deane attended Congress

691. FRANCIS LIGHTFOOT LEE TO RICHARD HENRY LEE.¹

PHILA Decr 22d 1778.

My dear Bro'r,

Publications still continue in abundance to blacken the Lees and make Deane the greatest man in the world. The cry is in their favor, no one has dared to enter the lists with them, but Common Sense, who tho he has said a great deal of truth, and much to the purpose, was as far as I can understand very little regarded, it having been artfully put about, that he

³ See nos. 671, 678, 685, *ante*, and nos. 698, 699, *post*. Concerning Berkenhout see nos. 487, note 2, 498, note 2, *ante*.

[690]¹ Library of Congress, Journals and Diaries.

² Samuel Holten records in his Diary: "21. This day I attended in Congress. My health much better." See no. 679, note 2, *ante*.

³ See the *Journals*, Dec. 14, 18.

⁴ The appointment is recorded in the *Journals* under Dec. 22. In the *Journals*, Dec. 21, is a report of the board of war, dated "20th December, 1778". This date is an error. The full report is found in the *Journals*, Dec. 20, 1777, its proper date.

⁵ See the *Journals*, Dec. 15, 22, 1778, Apr. 9, 1779.

[691]¹ Univ. Va. Lib., Lee Papers.

was hired. and the poor fellow got a beating from an Officer, it is said for having wrote the piece. He unfortunately made some mistakes which are taken notice of by his Answerer Plain Truth,² and throws a discredit upon the rest. It is really a shame, that when so many things can be alledged against this man, that the public should be so abused, because Congress will not go thro' the business. they have done nothing yet, in the mean time he continues to insult them. After having long pester'd the Congress by Letters to hear him, in justification of himself, never hinting that he has any Discovery to make, urging the necessity he was under of going immediately to France. And after complaining to the public that he was obliged to communicate his discoveries to them, because Congress would not hear him, as if he cou'd not have given his information to Congress in a Letter, as well as to the people. After all this Congress on the 8 inst directed him to put in writing the whole of his transactions and discoveries while in Europe and told him that if in the mean time, he had any thing of immediate consequence to communicate, they would hear him the next evening. He answer'd that as he cou'd in two or three days put everything in writing he did not desire to be heard. Since which we have not heard one word from him in Congress. And yet no notice is taken of him. in short the Party are determined to support him in everything, and contradict the old opinion, that it is impossible to wash the blackamore white.³ Finance is yet very backward. God knows what will become of us. Letters from Rhode Island say Byron's seamen are very sickly, which prevents his fleet from moving. This is all our news. When you come up I wou'd advise you to cross at Kent Island, the road by Baltimore is very bad. Love to your fireside and all friends.

FRANCIS LIGHTFOOT LEE.

692. JAMES DUANE TO MRS. DUANE.¹

PHILAD. 22d. Decemr 1778

My dearest Polly

. . . . Altho' our publick Affairs brighten up to the utmost of our Wishes they still require great Application; particularly the State of our Finances in which last I am much engaged: nor do I despair of seeing even our paper money soon placed on a Safe Footing. I am sure we have the means: but such as are indispensably necessary can only be suggested and recommended by Congress: the respective States must be looked to for their Efficacy and Success. . . .

² In the *Pennsylvania Packet* of Dec. 17 "Plain Truth" announced his forthcoming reply to "Common Sense". "Plain Truth contends to prove that almost the whole of the elaborate address to Mr. Deane is a gross misrepresentation of facts." The article appeared in the issue of Dec. 21. The announcement and the article are in N. Y. Hist. Soc., *Collections: Deane Papers*, III, 101, 103. "Plain Truth" was Maj. Matthew Clarkson. A statement over Clarkson's own name is *ibid.*, p. 137, taken from the *Pennsylvania Packet* of Dec. 31.

³ See the *Journals*, Dec. 22, 23. Cf. nos. 658, 669, 677, 687, *ante*, and no. 697, *post*. The direction to Deane to make his statement in writing was on Dec. 7, not Dec. 8. In the evening of the day on which this letter was written Deane presented Congress a written account of his transactions.

[692]¹ N. Y. Hist. Soc., *Duane Papers*, I, 13.

693. THE NORTH CAROLINA DELEGATES TO THE GOVERNOR OF NORTH CAROLINA (RICHARD CASWELL).¹

PHILADELPHIA decr. 22d 1778.

Dear Sir

We have been applied to, to procure some Necessary warm cloathing for Colo. Hogans Regiment who are very deficient in that article so necessary in a country cold and every way inclement in which they are to winter. we have applied to Congress for the articles, submitting that they should be charged to the State if on future Enquiry it shall be deemed Just. on these Terms we can be supplied with shoes and Stockings, but not with Blankets, and Colo. Hogan is to be accountable to the State for them.² we deemed it incumbent on us to use every means to prevent the distress of our Countrymen who are here in Obedience to the State, and in the public Service, more especially as the time of their Service puts them out of the common Line, and leaves them without the ordinary provisions made for the Continental Troops. we are told they are to be quartered in this city, in which case we purpose to Engage as many of them as we can to inlist in the Battalion for the war, or one year at least after their present Term shall Expire. this matter can go no farther than proposals through their Officers, and learning the Terms on which they can be procured, until we receive particular powers and Instructions from the State. we wish, therefore, to have their sense as soon as possible.

We are sorry to inform you that Congress are about to take measures relative to our paper currency which we think our Duty Obliges to Oppose. 'Tis proposed by Authority of Congress to call in two emissions, vizt ³ amounting to forty One Millions of Dollars, and to declare them Irredeemable after the first of June next. also to exchange them for Loan Certificates or new Bills at the election of the Owners. we urged against it that Congress could not by their own authority decry the currency of money which our Laws have made a Legal tender because it implies a power to repeal or suspend our Laws. that it was impolitic to throw any difficulties in the way of the currency, because People would become very suspicious of its quality and Credit, and if they took it at all it must be at a value depreciated in proportion to the Risque. that it was not in the power of Congress to declare money Irredeemable for which the public faith had once been pledged, for it implied a power to destroy the Peoples security in that part of their property at Will. and even if they had the power, it is indiscreet to use it, because if the People ever Considered it as subject to acts of arbitrary power they would Consider the public credit as too precarious a Security, and of Course the whole Currency must be very Considerably affected. we also urged that the time would not admit of sufficient Notice being given to People in States so Extensive and remote as ours. But the objection of highest moment is that

[693]¹ N. C. Hist. Comm., Caswell Papers; *N. C. State Recs.*, XXII. 987.

² See the *Journals*, Dec. 14, 1778, and Jan. 1, 1779.

³ A blank space was left here, evidently for the dates of the two emissions to be called in, namely, May 20, 1777, and Apr. 11, 1778. See no. 680, note 3, *ante*.

by borrowing when money is so highly depreciated as at present to be paid hereafter when the war is over will be to charge our Constituents with a Debt which will take ten parts of future Industry to pay for one part of the present, for Loan certificates cannot be called in by Taxes, but must be paid off by depreciated money, of which every one knows it will take a much greater quantity of Industry to procure a given Sum, than when it is depreciated. we look on borrowing in this way to be Ruinous, and Realizing the Debt as to make it equal to Gold and Silver, tho in any use we can make of it, it has not above a tenth part of their value. we Conceive it very unjust to subject the States, who have not acquired abundance of the money, to so unequal a charge to those who have, or to make the many pay a Debt at so great a Disadvantage to the few in whose hands money may be accumulated and who in many cases have acquired it by Extortion. We must lament that our Opposition is likely to prove Ineffectual, for the Interest of the monied States is too powerful for our Endeavours. we deem it, how[ev]er, not improper to advise you, and through you the Assembly, of a matter in which the property of our Country is so deeply interested. their wisdom may possibly fall on measures to avert the worst of the consequences⁴—We have the honor to be sir,

Your very obdt. servants,

J PENN

WHIT'LL HILL.

THOS BURKE.

P. S. Fifteen millions are voted to be raised by a Tax.

694. THE MARYLAND DELEGATES TO THE GOVERNOR OF MARYLAND
(THOMAS JOHNSON, JR.).¹

PHILADELA Decmr. 23d 1778.

Dear Sir

The necessity of making some inquiry on the Subjects contained in your Letter of the 10th Decemr and the Reference of the Resolutions of the General Assembly to the Marine Committee, upon which no Report has yet been made, has deprived us of the Honour of answering your Letter so soon as we intended

The Expedition against Florida, always was, and still is, in our opinion a dangerous and ruinous project, attended with a certain considerable Loss and Expense, without the smallest Hope of Success or advantage; And altho' Congress have not re-considered or in any way countermanded their former orders and recommendations, yet we think it not improper

⁴ Cf. nos. 672, 679, 687, *ante*.

[694]¹ Md. Hist. Soc., Red Book, X. 67; *Arch. of Md.*, XXI. 271.

privately and in Confidence to inform you, that there does not appear to us any hope of Success in prosecuting this Expedition.² . . .

We are with the highest respect and Esteem

your obedient and very hble Servts.

JOHN HENRY JUNR.

WM. CARMICHAEL

695. JOHN FELL, DIARY.¹

[December 23, 24, 1778.]

23d. *Wednesday*. Mr. Deane attending this morning did not go to Committee Genl. Washington visited Congress;² At 6 P M Genl. Thompson with two witnesses were Examined at the Barr.³ NB Genl. Lee and Lt. Coll. Laurens fought a Duel

24th. *Thursday*. A motion for the Secretary to wait on Genl. Washington to desire his attendance President told him a Committee would be appointed to consult with him Respecting the ensuing Campaign, he with drew, the Committee Laurens, Duane, Smith, Root and Morris: The remainder of the day in debate about Genl. Thompson, whether Judge Atleys deposition be admitted, carried in the Negative. Motion whether the General is guilty of a breach of Priveledge agst. the member Hon'ble

² See the resolutions of Congress Nov. 2 and 10 relative to the East Florida expedition; also the Maryland council to Congress Dec. 10, *Arch. of Md.*, XXI. 262, the council to the delegates Dec. 10, *ibid.*, p. 263, and to Governor Henry of Virginia the same date, *ibid.* The *Journals* of Dec. 14 record a letter from Governor Johnson dated Nov. 14, but this is doubtless an error for Dec. 10, as there is no record of the presentation of a letter of that date. Cf. no. 627, *ante*, and no. 706, *post*. See also the *Journals*, Jan. 15, 1779.

[695]¹ Library of Congress, Journals and Diaries.

² If this entry is correct, the visit must have been altogether informal, as it was not until the morning of the 24th that Washington's arrival in the city was announced to Congress. Cf. the entry under Dec. 24. Holten records (no. 696, *post*) that Washington had arrived in the evening of the 22d. The *Pennsylvania Packet* of Thursday, Dec. 24, contained the following item:

"On Tuesday last arrived here, GEORGE WASHINGTON, Esquire, Commander in Chief of the Armies of the United States—Too great for pomp—and as if fond of the plain and respectable rank of a free and independent Citizen, His Excellency came in so late in the day as to prevent the Philadelphia Troop of Militia Light-Horse, Gentlemen, Officers of the Militia, and others of this city from shewing those marks of unfeigned regard for this GOOD and GREAT MAN which they fully intended and especially of receiving him at his entrance into the State and escorting him hither."

³ See the *Journals*, Nov. 19, 20, 23, 25, Dec. 7, 17, 22, 23, 24, and nos. 662, 680, *ante*. McKean's information is in Papers Cont. Cong., no. 159, f. 292; Secretary Thompson's notes of the testimony taken in the case, Nov. 23, Dec. 7, 23, are *ibid.*, ff. 296-311; General Thompson's memorial of Nov. 23 is *ibid.*, f. 316; his letter of Dec. 14 (read in Congress Dec. 17) is *ibid.*, no. 78, vol. XXII., f. 609. His apology has not been found among the Papers of Congress.

In the *Pennsylvania Packet* of Dec. 29 is a communication from General Thompson in which he relates the history of the affair from his point of view, adding these words: "Before therefore I return to captivity, I think myself called upon to declare to the world, that Chief Justice McKean has, in an affair which does not relate to his conduct in Congress, and which is of a private nature, behaved like a Lyar, a rascal, and a coward." In the issue of Dec. 31 McKean replied, giving his story of the affair. In the issue of Feb. 2 appeared another communication from McKean, together with the proceedings in examination of Thompson and the witnesses, Nov. 19 to 23; while in the issue of Feb. 4 the proceedings are continued to Dec. 23, with which are printed Thompson's remarks Dec. 23, and what purports to be his apology, dated Nov. 23. Concerning the latter a note says, "This apology was never read in Congress until Dec. 23d".

Mr. McKean Carried in the Affirmative, my Vote no. then whether the Generals deffence should be allow'd as a full justification, carried in the affirmative so ended an unhappy dispute that has given Congress a great deal of trouble between Genl. Thompson and the Hon'ble Member for the State of Delaware. to morrow being Christmas Day adjourned to Saturday.

696. SAMUEL HOLTEN, DIARY.¹

[December 23-25, 1778.]

23. Congress sit from 9 till 3 and from 6 till 9. G. W.² arrived here last evening.

24. Genl. Washington was admitted into Congress and informed that Congress sent for him to consult with him about the affairs and operations of the army the coming year.

25. Christmas day.³ I dined at the Presidents of this State.⁴ Genl. Washington and his lady and suit, the president of Congress, Colo. Lawrence,⁵ my colleagues, General Whipple and Don Juane⁶ dined with us.

697. FRANCIS LIGHTFOOT LEE TO RICHARD HENRY LEE.¹

PHILA. Decr. 25th 1778.

My dear Bro'r

The day on which my last Letter² was wrote, Mr. Deane produced to Congress his written narrative of his transactions and accusations. The first [was] the most pompous bloated thing that ever was on paper. the only charges against Doct'r Lee are that he is suspicious, jealous, affrontive to every body he has any business with, and very disgusting to the whole french Nation, by his hatred for them which he discovers by all his words and actions. Mr. W. Lee is mean, and goes shares with the Agents he appointed. The whole is most grossly abusive of both of them. The Party sucked it in, as Nectar and Ambrosia, and say he has acquitted himself most honorably. They whisper about, that as they are very moderate, and wou'd not injure anybody unheard, they think the best way is to recall them, that they may justify themselves. This in fact, under the appearance of moderation, is the thing they are working for. They have [some] of their Party ready immediately to fill all the places; and then every thing being in their own hands; we shall have fine work, with the trade which

[696]¹ *Essex Inst. Hist. Colls.*, LV. 249.

² General Washington. The abbreviation "G" was often used for *General*, and it is not probable that it here stands for *George*. Cf. no. 695, *ante*.

³ "25th. Fryday. This day is excessive Cold with Snow and Ice in the River. has been severally Cold for some days past" (John Fell, Diary).

⁴ The president of Pennsylvania was Joseph Reed.

⁵ Presumably Col. John Laurens, aide to Washington.

⁶ Don Juan de Miralles. See nos. 475, 587, *ante*.

[697]¹ Univ. Va. Lib., Lee Papers.

² No. 691, *ante*. See the *Journals*, Dec. 22, 23, 26, 31, and no. 704, *post*. Deane's narrative is in Seventy-Six Society, *Papers in Relation to the Case of Silas Deane*, pp. 17-75, and N. Y. Hist. Soc., *Collections: Deane Papers*, III. 144-205 (with a small addition).

the Continent must carry on for our large advances in Europe. Altho Deane had two Colleages; the word, *we*, is never used in his Narrative, *I* did everything, *I*, procured all the supplies, bro't about the Alliance, procured D'Estaings fleet conducted them to America. discovered the designs of the Enemy and baffled them. in short, *I* have establish'd the Liberty and independance of America; whose safety and happiness now depend upon my vigilance. You are sufficiently acquainted with human nature, to know that such magnificent Ideas, inculcated in the most positive style; repeated a thousand times by many Trumpeters; and supported by a Courtly Letter from Count Vergennes; and the *great* Dr. Franklin, will have great weight with many. the old Whigs are something benumbed, at the apparent greatness of the Party. I shall not be surprised at their success, for meanness and wickedness increase daily. If our brothers are not disgraced now, I am sure they will be e'er long; for they will allways stand in the way of bad men; and no villainy will be left unpracticed to ruin them. I believe they mean to push for a speedy decision in favor of Deane.³ Finance has not been mentioned since my last. no News.

Yrs. Aff'tly

F. L. LEE.

P. S. I forgot to mention, That I am informed Deane has sent a great many of the Papers containing his Address to Virginia to be circulated there by you can guess whome.⁴

698. SAMUEL ADAMS TO SAMUEL COOPER.¹

PHILADELPHIA Decr 25 1778

My dear Sir

I have receivd your Favors of the 7th and 20th of November, the former of which was deliverd to me by the Honble Mr Temple. That Gentleman is intitled to my Esteem from the opinion I entertain of his personal Merit, and from your Recommendations and those of some others of my virtuous Fellow Citizens. I have done him every Act of Friendship in my Power; but Circumstances, of which he is not unapprized, have prevented my having so much Conversation with him as I could have wished for. The Time and Manner of his leaving England, the Company he came with, the favor granted him at New York of writing a Letter to Mr President Laurens requesting Permission to pay his Respects to Congress, and another to myself, neither of which, it was presumd, could have passd without the Inspection of General Clinton, nor sufferd by him to pass unless they had been adapted to his Views. These were made the Grounds of Suspicion of him then; and they were afterwards judgd sufficient to overbalance the Letters he brought from his Friends and

³ See the *Journals*, Dec. 22, 23; also Francis Lightfoot Lee to Richard Henry Lee, Jan. 5, 1779, in vol. IV.

⁴ Benjamin Harrison?

[698]¹ *Writings* (ed. Cushing), IV. 104; N. Y. Pub. Lib., Samuel Adams Papers.

Countrymen, respectable as they were acknowledged to be by all, who might be supposed possibly to have judged partially in his Favor.² . . .

699. SAMUEL ADAMS TO CHARLES CHAUNCY.¹

PHILAD. Decr 25 1778

Reverend and much esteemed Sir

I am greatly indebted to you for your very acceptable Letter of the 7th of Novr by Mr Temple. That Gentleman, in my Opinion took an unguarded Step on his late Arrival in New York. I mean his writing a Letter to the late President Mr Laurens requesting Permission to pay his Respects to Congress, and another Letter to myself. This excited a Suspicion in the Minds of the true Friends of our Cause, that what they had before seen in the English News papers, viz that he and Dr Berkenhout were sent to America by the British Ministry might not be without Grounds. This Desire of paying a respectful Visit to Congress was judged to be a Reason merely ostensible; and the Time and Manner of his leaving England, the Company he came with and the Readiness with which the British General granted him the Liberty of sending his Letters, the Contents of which must most undoubtedly have been under his Inspection, it was said, afforded Reason to believe his real Design was to gain an honorable Admission into this City, and the Confidence of Members of Congress and others thereby the more easily to cooperate with the British Commissioners, and carry their Designs into Effect.² . . .

You have my hearty Thanks for your Sermon lately publishd which I have read with pleasure. The Evil you therein mention is indeed alarming. Amidst the great Variety of pressing Affairs, Congress is devoting certain Hours of every Day to investigate a radical Cure; and I am in strong Hopes that an effectual Plan will shortly be laid before the General Assemblies of the several States.

When General Gates was ordered to Boston a considerable Embarkation of the Enemies Troops had been made at N York and it was apprehended they would attempt a Landing somewhere near that Place. His military Abilities and Experience, his political Principles and Attachments and the Confidence which the Troops and People of the Eastern States had in him, were the Considerations which inducd his being sent thither.³ Had the Enemy turn'd their whole Force that way of Course the Commander in Chief would have followd. General Heath has given entire Satisfaction to Congress during his Command there. The Change took Place on the Spur of the Occasion, and probably in the Spring a different Arrangement may be made.

² See nos. 671, 685, *ante*. Cf. the *Journals*, Jan. 2, Feb. 27, 1782; also Samuel Osgood to James Lovell, Mar. 2, 1782, and Thomson's Notes of Debates, Aug. 1, 1782, in a succeeding volume of these *Letters*. The remainder of the letter relates principally to the Deane affair, and the subject is continued in letters of Jan. 3, 6, 19, and Feb. 21, 1779 (*Writings*, IV. 111, 115, 118, 126).

[699]¹ *Writings* (ed. Cushing), IV. 108; N. Y. Pub. Lib., Samuel Adams Papers.

² In this letter, and that to Samuel Cooper Dec. 25, Adams repeats substantially much of what he had previously written others on the same subject. See nos. 671, 685, 689, 698, *ante*.

³ See the *Journals*, Oct. 22; cf. nos. 603, 624, *ante*.

700. JOHN FELL, DIARY.¹

[December 26-28, 1778.]

26th. Saturday Excesive cold morning. Commercial Committee, Present Mr. Lawrence agreed to meet Mr. Mumford² to morrow morning 11 A M Congress. A Letter from Abm. Clark was Read, with a complaint agst. Genl. Maxwell for refusing to deliver some Prisoners detained by him and demanded by a Habeus Corpus reffer'd to a Committee of 3. vizt. Mr. Duane, Mr. Burk and Mr Fell.³ A Memorial was Read Complaining of sundry abuses of Capt. Cunningham⁴ of the *Revenge*, Refer'd to the Marine Committee Motion for the Emissions of May 1777 and April 1778 to be brought in by the first June and not afterwards redeemable

27. Sunday. Commercial Committee 9 oClock A M

28. Monday. Commercial Committee do. 11 A M. Went to Congress, but not being Members sufficient no Congress.

701. SAMUEL HOLTEN, DIARY.¹

[December 28, 29, 1778.]

28. Great free mason day. Congress adjourned in the morning. I dined with M'r de France² and my colleagues.

29. Genl. Washington, The Prest. of Congress, The minister of France, the prest. of this state, The Revd. Mr. White³ and several other Gentlemen dined with us.

702. JOHN FELL, DIARY.¹

[December 29, 1778.]

29. Tuesday. Commercial Committee 9 oClock. 11 A M. Congress. This morning waited on General Washington, about the Exchange of Lashier and Brower his answer that he had allready demanded them of Sir Henry Clinton.²

[700]¹ Library of Congress, Journals and Diaries.

² The *Journals* merely record that a memorial from Mumford was read Dec. 22.

³ See Charles Thomson to Joseph Reed, Feb. 19, 1779, in vol. IV.

⁴ Capt. Gustavus Conyngham. See the *Journals*, Dec. 26, 1778, Jan. 4, 1779.

[701]¹ *Essex Inst. Hist. Colls.*, LV. 249.

² Presumably Monsieur de Francy, agent of Beaumarchais. Once (Oct. 26) Holten uses the designation "Monsr France"; in other entries (Dec. 30, 1778, June 3, 1779) "M'r de France", as here.

³ "Rev. William White (1748-1836), one of the few clergy of the Church of England who supported the colonists, and the first Bishop of Pennsylvania. His sister was the wife of the merchant, Robert Morris." (Note in *Essex Inst. Hist. Colls.*) He was one of the chaplains to Congress, the other being Rev. George Duffield.

[702]¹ Library of Congress, Journals and Diaries.

² The following correspondence concerning Brower and Loziers is found in the Washington Papers: Washington to Sir Henry Clinton, Dec. 26; Clinton to Washington, Jan. 23, 1779 (enclosing letter of Daniel Jones, Jan. 1); Washington to Clinton Feb. 5.

A Request from the French Minister to Prevent the Carrying of Masts from New Hampshire and the Massachusetts Bay to St. Domingo for fear of falling in to the hands of the Enemy

Motion for 2 Brigr. Generals for North Carolina 1 for Philadelphia and 1 for So. Carolina. Finance

703. SAMUEL HOLTEN, DIARY.¹

[December 30, 31, 1778.]

30. Thanksgiving day. I attended public worship and dined at the city tavern. The Pres. of Congress, The minister of France, Genl. Washington and about 60 other Gentlemen dined with us. M'r de France² invited the Com. to dine.

31. I dined with M'r de Miralles, a Spanish Gentleman. Mrs. Washington and 7 other ladies dined there. G. W. and about 40 other Gentlemen of the first character dined with us. The entertainment was grand and elegant and at M'r Gerard's house.

704. JOHN FELL, DIARY.¹

1778, Decr. 30th. Wednesday, Thanksgiving day, No Congress.

31st. Thursday, did not go to the Commercial Committee Congress. Mr. S Deane attended with his Narrative² Sundry Letters read from Gen Gates, Genl. Phillips etc. finance etc.

705. FRANCIS LEWIS TO THE GOVERNOR OF NEW YORK
(GEORGE CLINTON).¹

PHIL. 31st Decemr. 1778.

Dear Sir,

. . . . The state of our Finances and the rapid depreciation of our paper currency is truly alarming. Congress had several weeks past allotted two hours each day for the purpose of Financing; and have at length passed the following Resolves;² these resolves will be published in the newspapers in a few days. The next thing under the consideration of Congress is, the establishing a permanent sinking fund, for which purpose a special Committee have a plan ready to report this day, and I hope by these modes we shall be able to give our money an appreciation.³

[703]¹ *Essex Inst. Hist. Colls.*, LV. 249.

² De Francy. See no. 701, note 2, *ante*.

[704]¹ Library of Congress, Journals and Diaries.

² See Deane's letter of Dec. 30, read in Congress prior to his personal attendance (N. Y. Hist. Soc., *Collections: Deane Papers*, III. 137). In this letter, and again in a letter of Jan. 4 (*ibid.*, p. 244), he refers to Paine's attacks upon him. See Fell's Diary, Jan. 4, 1779, in vol. IV.

[705]¹ Harvard Univ. Lib., Sparks MSS., XII. 56.

² See the *Journals*, Dec. 16, 18, 19, 21, 26.

³ See the *Journals*, Dec. 31, 1778, and Jan. 1, 2, 1779.

706. HENRY LAURENS, NOTES.¹

[December, 1778.]

South Carolina, admitting a full Months time for preparation, and no alarm from the Indians, may bring into the Field, 10,000 Men, one half of them badly clad and as badly Armed.

should the Indians be in action or threatening the Inhabitants of the back Country will not leave their families exposed on that frontier. in such Case 4 or 5 thousand is the most Militia that can possibly be collected for defence of the Sea Coast.

the Enemy by landing 2000, at Wingaw will meet little or no opposition in plundering and ravaging all the Northern part

2000 more landed at Beaufort may act in the same manner to the Southward including all the Islands

5000 with a few frigates may very easily take possession of Fort Johnson and Charles Town, securing the mid-country.

Fort Moultrie falls of course without firing a Gun against it.

Plunder.

not less than 50000 Barrels of Rice in three Weeks.

immense quantities of Indian Corn Pease, Flour etc.

Indigo at least half a Million horn'd Cattle Sheep Hogs etc.

10,000 Negroes.

very great quantities of Merchandize, 150 to 200 Sail of Ships and other Vessels for transporting the Provision and Negroes, Warlike Stores etc.

We have no fleet to retake the place. if we call foreign aid, it will be ineffectual, because four fifty Gun Ships and six frigates within will bid defiance to the whole fleet of france.

Georgia will fall immediately or may be over run by the Troops from St. Augustine and 500 Indians.

[Endorsed:]

Notes, from whence I remonstrated to Congress on the danger to which So Carolina and Georgia were exposed in Decem. 1778—which I had often done at former periods.²

[706]¹ Copied from the original, then in possession of Mr. Stan. V. Henkels of Philadelphia.

² In September, October, and November (see the *Journals*, Sept. 25, Oct. 17, 20, Nov. 2, 10) Congress had under consideration the defense of South Carolina and Georgia, but the *Journals* contain no record of any action on the subject in December. See, however, the letter of the Maryland delegates, Dec. 23, no. 694, *ante*. Cf. nos. 482, 602, 618, 627, *ante*. See, further, the *Journals*, Jan. 15, 1779; also Laurens's letters of Jan. 29 and 31, 1779, in vol. IV.

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